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Correspondence respecting the Affairs of the Duchies of Holstein, Lauenburg, and Schleswig.

No. 1.

Mr. Paget to Earl Russell.—(*Received January* 26.)

My Lord, *Copenhagen, January* 21, 1865.

WITH reference to my despatch of the 24th of December last, respecting an Address to be presented to the King which had been brought before the Landsthing by certain Members of that Assembly, relative to the state of affairs between this country and Germany, I have the honour to state that on the re-assembling of the Landsthing after the Christmas holidays, the draft was referred to a Committee, who, upon it, drew up the Address of which I have the honour to inclose a translation herewith, as given in the French edition of the "Dagblad" of yesterday, and which was yesterday voted by a majority of thirty against two.

The Government has been throughout opposed to these proceedings, not because the views set forth in the Address are contrary to their own, but because both Chambers of the Danish Diet, which is merely a Provincial Assembly, are constitutionally incapacitated from discussing international questions. If the Government admit a departure from this principle in the case of the Danish Diet, it is evident that, without great injustice, it cannot be withheld from the Provincial Assemblies of Schleswig and Holstein; and the Government feel all the inconvenience of the position in which they may thus be placed.

It remains, therefore, to be seen whether, although the Address has been adopted, its presentation to the King will be permitted.

I have, &c.

(Signed) A. PAGET.

Inclosure in No. 1.

Address.

(Traduction.)

Sire,

IL y a sept ans que le Rigsdag a donné son adhésion à la limitation de la Loi Fondamentale du 5 Juin, 1849, en la restreignant aux affaires particulières du Royaume proprement dit. Il a, sous une condition bien déterminée, il est vrai, renoncé à l'autorité politique qu'il avait jusqu'alors exercée au nom de toute la Monarchie, et c'est maintenant à une autre Assemblée Représentative (au Rigsraad) d'insister sur la communication des renseignements relatifs aux rapports politiques d'un intérêt général. Pourtant le droit de s'adresser immédiatement au Roi est encore au nombre des attributions de chacune des sections du Rigsdag. Les circonstances peuvent se présenter sous une forme si grave et si menaçante, elles peuvent tellement alarmer le peuple entier que les représentants élus pour veiller à ses intérêts ne pourraient croire se montrer à la hauteur de leur position, ni satisfaire à leur devoir, s'ils manquaient à user de leur bon droit dans l'intérêt de la nation.

Pendant l'année révolue, le peuple Danois a vu surgir des prétentions et des exigences incompatibles avec l'honneur du Trône de même qu'avec la position du Danemark au rang des Royaumes souverains et indépendants. Il est évident que le système adopté par nos adversaires ne vise qu'à réduire notre pays à un état humiliant de vasselage des Puissances Allemandes. Pendant les mois derniers, ces mêmes exigences ont été approuvées et appuyées par d'autres Puissances de la part desquelles on aurait le moins dû attendre une pareille attitude. Nous sommes vivement persuadés que la situation politique du Danemark a été par-là rendue encore bien plus difficile. Mais il ne nous paraît pas moins clair que plus que jamais il est maintenant devenu urgent d'exposer d'une manière bien lucide aux yeux de l'univers ce que c'est à quoi le Gouvernement et le peuple du Danemark ne pourront jamais se prêter de leur bon gré, par la bonne raison que vouloir y donner son assentiment serait de s'abandonner soi-même, en tendant la main à la dissolution de la Monarchie.

Une Constitution collective pour le Royaume et le Slesvig est l'expression correcte de la position légitime du Duché vis-à-vis du Royaume et de la Couronne. Une pareille Constitution est indispensable à la conservation de la liberté constitutionnelle dans les affaires particulières. Le lien politique qui rallie le Royaume et le Slesvig a certainement besoin d'être fortifié et développé dans le sens de l'esprit libre et populaire, de même que

la population du Sleswig ne fait qu'user de son droit en demandant à être admis à participer aux biens d'un développement libre. D'un autre côté, tout affaiblissement de la communauté constitutionnelle sera au détriment de l'un et de l'autre, et tout effort tendant à donner au Slesvig une position politique conforme à celle du territoire fédéral de Holstein, dépendant de l'Allemagne, n'aura pour but, comme nous l'a appris une expérience triste et coûteuse, que de saper l'existence de la Monarchie Danoise.

Mais, Sire, la vie publique de votre peuple dévoué et loyal sera constamment exposée au trouble, de même qu'elle sera exclue du développement prospère; tant qu'on ne sera parvenu à mettre le Royaume indépendant du Danemark à l'abri de l'action perturbatrice et anéantissante de l'autorité fédérale, à laquelle ressortissent les Duchés Allemands du Holstein et du Lauenbourg. C'est par cette raison que nous avons à son temps avec grande satisfaction entendu émettre au Gouvernement de votre Majesté, en réponse à l'adresse de 71,000 citoyens Danois, la conviction consolante qu'il faudrait organiser les rapports du Holstein de manière que votre Majesté se vît en mesure de satisfaire à ses devoirs fédératifs en qualité de Duc de Holstein, sans faire préjudice à l'indépendance des autres territoires du pays. Voilà maintenant deux années écoulées depuis le temps où cette conviction fut énoncée, mais jusqu'à présent nulle démarche efficace n'a été faite pour y donner suite. Nous sommes certainement loin de méconnaître toute la difficulté des circonstances, mais nous ne croyons pas qu'on parvienne à la diminuer en apportant du retard à l'exécution. Et quoi qu'il en soit, jamais dans aucun cas il ne faudra permettre que la position incertaine et flottante du Holstein fournisse à l'intervention étrangère le sujet de s'immiscer dans les affaires intérieures de la Province de Slesvig, appartenant à la Couronne Danoise.

Trés gracieux Monarque, nous ne connaissons qu'une seule politique que nous puissions appuyer de bon gré et de tout notre cœur, et à laquelle la nation Danoise soit prête à se rattacher avec une confiance inébranlable, dès qu'elle sera suivie avec habileté et fermeté. Cette politique a pour but de conserver et de développer la vie constitutionnelle dans le sens collectif, non moins que dans les rapports particuliers. Elle aboutit également à maintenir et à sauvegarder notre indépendance nationale et politique, de même qu'à consolider et à fortifier l'alliance des différentes parties du Royaume de Danemark. C'est à une pareille politique que le peuple Danois est aujourd'hui aussi disposé qu'il l'était il y a quinze ans, à faire quelque sacrifice que se soit; ce n'est que celle-là qui puisse éveiller l'espérance de rencontrer partout dans le Nord du retentissement et de l'appui.

Que Dieu veuille bien appuyer de votre Majesté la sagesse et la puissance; qu'il vous accorde le bonheur de mener à bonne fin cette politique; qu'il vous assure par là une renommée glorieuse autant qu'impérissable.

(Translitaon.)

Sire,

SEVEN years ago the Rigsdag gave its adhesion to the limitation of the Fundamental Law of the 5th of June, 1849, whilst restricting it to the particular concerns of the Kingdom properly so called. It renounced, it is true, upon a well-defined condition, that political authority which up to that time it had exercised in the name of the entire Monarchy, and it is now the duty of another Representative Chamber (the Rigsraad) to insist on the communication of details relating to those political relations which are of general interest. Still the right of addressing itself directly to the King is still one of the privileges of each section of the Rigsdag. Events may assume so serious and menacing an aspect, they may so alarm the whole nation, that the Representatives, who are chosen to watch over their interests, could not hope to feel themselves equal to their task nor could they perform their duty did they omit to avail themselves of their right in the interests of the nation.

During the past year the Danish people have seen claims and demands put forward which are equally incompatible with the honour of the throne and with the position of Denmark as a sovereign and independent Kingdom. It is clear that the only object of the system adopted by our adversaries is the reduction of our country to a humiliating state of vassalage to the German Powers. During the last few months these same demands have been approved of and supported by other Powers from whom one might have the least expected such an attitude. We are firmly persuaded that the political situation of Denmark has thereby been rendered much more difficult; but it does not appear the less evident to us that it has now become urgently necessary clearly to demonstrate to the whole world that the Government and the people of Denmark can never willingly consent to this, for the very good reason that to give one's consent to it would be to abandon oneself by lending a hand to the dissolution of the Monarchy.

A common Constitution for the Kingdom and for Schleswig is the correct definition of the legitimate position of the Duchy towards the Kingdom and towards the Crown.

reply to your Lordship's despatch, that the powerful arguments which you have employed at Copenhagen and the proceedings of the Diet sitting at Itzehoe may not be without a beneficial influence.

No. 5.

Mr. Ward to Earl Russell.—(Received February 2.)

My Lord, *Hamburgh, January 29, 1863.*

I HAVE the honour to apprize your Lordship that the Provincial States of the Duchy of Holstein met at Itzehoe on the 24th instant, in pursuance of the Royal summons for their twelfth ordinary session, according to the Constitution of the Duchy dated June 11, 1854.

The Royal Commissioner on the occasion was the Danish Government Councillor M. de Warnstedt. The States unanimously elected as their President the Baron Charles de Scheel-Plessen, who has filled the chair during several former sessions, and is distinguished for his attachment to the constitutional cause of the Duchies of Holstein and Schleswig. As Vice-President the Assembly re-elected (with only three dissenting voices) M. Theodore Reincke, merchant in Altona, a man who is likewise well known as a staunch adherent of the National party in the Duchies. These appointments are alone sufficient to show that the political feeling of the Assembly remains pretty much the same as it was in the last session.

It does not appear to be the intention of the Danish Government to make any propositions whatever to the States with a view to the reconcilement of the long-standing political differences between them, or otherwise of a political nature. So much is evident from the tenour of the Royal Message delivered to the Assembly on the day of its meeting under date of the 19th instant. This Message (of which a summary in translation is inclosed herewith) notifies the decision of the Government in reference to a variety of local affairs mentioned in the Resolutions passed by the States in their tenth and eleventh sessions in the years 1859 and 1861 respectively, and then announces (sec. 2, par. 3) that the Government finds itself deprived of all hope of being able to regulate the special affairs of the Duchy by means of modifications of its own Provincial Constitution, because the States had in the year 1861 insisted as a condition of such modifications that at the same time the constitutional position of Holstein in regard to the other parts of the Monarchy should be determined in accordance with the Resolution of the Federal Diet passed March 8, 1860, to which the Government had determined not to submit.

On the day of their meeting the Government also laid before the States nineteen propositions for new Laws and Ordinances relating entirely to local affairs within the Duchy.

On the 26th instant, being the second day of sitting, the Commissioner read to the States another Royal Message dated likewise the 19th instant (of which a translation is inclosed) to the effect that although the Danish Government still disputed the validity of the Resolution of the Federal Diet dated March 8, 1860, it had nevertheless determined to comply with the demands of the Diet so far as to submit to the Assembly of the States certain propositions relative to common affairs, viz., the finances of the Monarchy, in the hope of thereby avoiding serious complications of the public interests. Accordingly twenty-one propositions of a financial nature were at the same time laid before the Assembly on behalf of the Government. Amongst these propositions is one for granting an appanage to His Royal Highness the Prince Christian (share of Holstein 2,700 rix-bank dollars Danish* per annum), and another for the dotation of Her Royal Highness the Princess Alexandra (share of Holstein 21,310 rix-bank dollars Danish). There is also a Project of Law for fixing the share of Holstein in the common expenditure of the Monarchy, viz., 21·31 per cent. from April 1, 1862, and another project for fixing the additional contribution of Holstein, as regards foreign affairs, to the normal Budget of February 28, 1856, for the two years 1863 and 1864, at 13,350 rix-bank dollars Danish. A proposition is likewise made for payment of the indemnity due to Hanover under the Treaty for the redemption of the Stade Tolls, viz., 208,929 Prussian dollars,† with 4 per cent. interest, of which the share demanded from Holstein is 21·31 per cent., equal to 63,000 rix-bank dollars Danish. The other financial propositions are not of sufficient public interest to require particular enumeration.

The Assembly has appointed a number of Select Committees to consider and report on the various questions thus brought before the States. It is supposed that the session will last about six weeks.

I have, &c.

(Signed) J. WARD.

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* 1 rix bank-dollar equal to 2*s.* 3*d.* sterling.

† 1 Prussian dollar equal to 3*s.* English.

Inclosure 1 in No. 5.

Summary of Royal Message.

I.—*As to the Resolutions of the* 10*th Session of the States.*

SECTIONS 1 to 12 relate merely to local affairs of the Duchy, which are of no general interest.

II.—*As to the Resolutions of the* 11*th Session of the States.*

Sections 1 and 2 relate merely to local affairs.

Section 3 runs thus:—

"We have already by our message of March 2, 1861, given our faithful Provincial States to understand that it appeared to us impossible to give effect to the demand contained in the Resolutions of the Federal Diet, dated March 8, 1860. Now, inasmuch as the States in their last Diet accepted the Project laid before them of a new Constitution for the special affairs of the Duchy of Holstein irrespectively of the particular modifications proposed of it, only upon the assumption and subject to the condition that the Provisorium resolved upon by the Germanic Confederation on March 8, 1860, for fixing the position of Holstein towards the other parts of the Monarchy as to common affairs, should be carried into effect; we have, in consequence of that condition, which we had in outset declared to be inadmissible, given up all hope of an early arrangement of the common affairs of the Monarchy upon the basis intended by us."

The Message in conclusion refers to the Laws and Ordinances lately issued with the previous consent of the States, and to the projects of new Laws to be on this occasion submitted to them.

Inclosure 2 in No. 5.

Royal Message to the States of Holstein, dated January 19, 1863.

(Translation.)

FREDERICK VII, by the grace of God, King of Denmark, &c,, &c.

Noble, dear, and faithful Man,—Although we cannot recognize the authority of the demands made by the German Federal Diet in its Resolution of March 8, 1860, whereby, until the definitive settlement of the Constitutional relations of the Duchy of Holstein, no law on the common affairs of the Monarchy, especially those on finance, shall be issued for the said Duchy, unless it shall have received the assent of the Assembly of the States, as we have repeatedly declared; nevertheless, inasmuch as the negotiations commenced with the Germanic Confederation relative to the position of the Duchy of Holstein within the Monarchy have not yet arrived at a conclusion, so that an alteration in a constitutional way of the Constitution of Holstein could not take place, we have, in order to obviate, so far as in us lies, more serious complications, been graciously pleased to comply with the said demands, in so far as it is compatible with the duties incumbent upon us towards our territories, not belonging to the Germanic Confederation, and with the necessity of a regular administration of the business of the State,—in this, that we will allow to be laid before the Provincial States of the Duchy of Holstein in their approaching session, a number of projects of law concerning common affairs, and especially financial relations, in order that the States may resolve thereon. To this end will such projects of law be immediately handed to you, and we are willing to hope that our faithful States will examine them with impartiality and care. It will essentially depend upon the result of those deliberations whether this step will prepare and promote the definitive settlement of the Constitutional relations of the Monarchy, or lead to serious complications which would endanger the interests of all the territories belonging to our Crown.

We notify so much to you, in order that you may further communicate it to the Assembly of our faithful States.

Which you are to respect accordingly, and we remain graciously disposed towards you.

Given at our Castle of Fredensborg, the 19th of January, 1863.

(Signed) FREDERICK R.

(Countersigned) HALL.

To our Commissioner for the approaching twelfth ordinary session of the Provincial States of Holstein, touching the Projects of Laws on the common affairs of the Monarchy to be proposed to the States.

No. 6.

Mr. Paget to Earl Russell.—(*Received February* 9.)

My Lord, *Copenhagen, February* 3, 1863.

I HAVE the honour to inform your Lordship that the Address of which a translation was inclosed in my despatch of the 21st ultimo, was presented to the King by a deputation composed of the President and two other members of the Landsthing.

A translation of His Majesty's reply, subsequently addressed to the President, is herewith inclosed.

Your Lordship will perceive that, while acknowledging the loyalty and patriotic spirit of the Address, His Majesty declines to entertain its contents by reason of their not being within the competency of the Rigsdag.

I have, &c.

(Signed) A. PAGET.

Inclosure in No. 6.

Royal Reply to the Address of the Landsthing.

(Translation.)

HAVING made ourselves acquainted with the humble Address which you, together with two other Members of the Landsthing, chosen for that purpose, have presented to us, we hereby make known to you that, though by no means misjudging the loyal and patriotic spirit by which the same has been called forth, yet we cannot entertain its contents, inasmuch as it concerns questions which do not come within the competency of the Rigsdag.

No. 7.

Mr. Paget to Earl Russell.—(*Received February* 11.)

My Lord, *Copenhagen, February* 11, 1863.

THE only intelligence of importance which has arrived at Copenhagen from Itzehoe since the opening of the session, is contained in a telegram which appears in this morning's "Berlingske Tidendé," and of which the inclosed is a translation.

The various Laws proposed by the Government were referred to a Committee, and the telegram professes to give the substance of their Report. Anything more unfavourable could not have been drawn up.

I have, &c.

(Signed) A. PAGET.

Inclosure in No. 7.

Extract from the "Berlingske Tidende" of February 11, 1863.

Translation.)

(Telegram.) *Itzehoe, February* 10, 1863.

THE draft of the Address which has been prepared by the Committee elected by the Assembly complains of the concessions made by the Ministry as being, with few exceptions, unaccompanied by any guarantees of the arbitrary application to preparations against Holstein of the Surplus Funds and the Reserve Fund, of the absence of all guarantee for political freedom, of a neglect of the National University of Kiel, and especially of the unfortunate policy of creating a Denmark-Schleswig, and sees a satisfactory solution only in a reunion of Schleswig with Holstein.

No. 8.

Mr. Ward to Earl Russell.—(*Received February* 24.)

My Lord, *Hamburgh, February* 19, 1863.

THE Assembly of the Holstein States having yesterday voted unanimously the Address to the Crown on the critical state of the country, which had been moved by Adolphus Baron de Blome, I have the honour to transmit herewith a copy of the Address, with a translation of the same, for your Lordship's information.

The Royal Commissioner, by order of the Danish Government, declared to the Assembly that the King would not receive the Address—a decision which the States probably anticipated. They wished, however, to record publicly their opinion of the dangers in which the policy of the Government was likely to involve the country, and in this point of view the object of the Address will have been answered.

I have, &c.

(Signed) J. WARD.

Inclosure in No. 8.

Address of the States of the Duchy of Holstein to His Majesty the King of Denmark, Duke of Schleswig, of Holstein, &c.; voted unanimously, February 18, 1863.

(Translation.)

Most Illustrious, Most Mighty, Most Gracious King and Lord,

THE States of the Duchy of Holstein, assembled on your Majesty's call, venture respectfully to approach the Throne of your Majesty and to speak openly and freely on the critical state of the country. They feel themselves the more called upon to do so, because they have perceived with deep regret from the Royal Message that there is no hope of a speedy solution of the deplorable controversies which for years past have endangered the internal and external peace of the Monarchy, and because your Majesty's Commissioner has informed the Assembly that the States are only exceptionally, and only for the present financial period, authorized to take part in fixing the Budget.

Such exceptionally made concessions, which are wanting in any guarantee for the future, sufficiently mark the state of the country; but, unfortunately, there are many other evils which the States cannot pass over in silence.

During the last two years the Representation of the interests of Holstein in your Majesty's Council has been entrusted to a man who by his conduct in the discussions touching the well-known Section 13 (of the projected Constitution) has lost every claim to confidence. This man, in spite of the assurances given in the year 1861 to the two Great German Powers that for the current financial year the extraordinary additional contribution of the Duchy of Holstein out of its special revenue above the normal Budget should not be insisted on, has believed it possible that this assurance, which in official writings he calls a sacrifice made from love of peace, could be evaded by his taking the moneys in the Treasury and the Reserve Fund without asking the consent of the States.

The Representatives of the Duchy cannot pass over such an act of injustice in silence, and the less so as the extraordinary expenses, to cover which millions have been applied out of the means belonging also to the Duchy of Holstein, are directly opposed to the interests of the Duchy. For, whilst the most important branches of the administration in Holstein have suffered under the pressure of the greatest parsimony, those millions have been expended for armaments whose sole object is to carry out forcibly a policy which not only endangers the interests of the Duchy but of the whole Monarchy. Most gracious King! the Representatives of the Duchy of Holstein are compelled to enter a loud and well-founded protest against such a proceeding.

A few months ago, and in the face of the then approaching convocation of the States, the Minister surprised the country, the administration of which is confided to him, by the introduction of a measure which offers a fresh proof of the recklessness with which he has thought fit act in the most important matters. A new Government has been established and furnished with instructions that are not framed so as to promote the interests of the inhabitants of the country. In this new creation we can only perceive a measure introduced from political motives contrary to the interests of the country. There is no doubt that this arrangement ought not to have been carried out without the consent of the States; and if the States refrain from bringing an impeachment against the Minister, they do so because they know by experience that our Constitutional law contains very vague provisions as to the competence of the courts of justice in cases of impeachments against Ministers.

These particular measures are, however, only mentioned as proofs which strike every one's eye of the heavy pressure resting on the country. All propositions of the Assembly for abolishing Section 8 of the Constitution, by which all judicial matters are under the control of the administrative department, have been made in vain. The most important guarantees of political freedom, viz., liberty of the press, the right of holding meetings and orming societies, are withheld from the country. The university of Kiel, cherished by the Duchies of Schleswig and Holstein as the centre of their intellectual life, is purposely neglected. The public conscience of the country has been deeply hurt by the appointment of certain persons to official posts.

Most gracious King!

If the Holstein States feel themselves bound in conscience to complain loudly before the Ruler of their country of such grievances, and of the disregard with which the country is treated in its most important affairs, still these grievances are not the main point of their cares and fears. The main point is the disastrous policy by which your Majesty's Ministers have up to this moment prevented a settlement of the sad confusion into which the Monarchy has been brought, and thereby have conjured up dangers of the gravest kind to the whole kingdom. This policy aims at the establishment of a Monarchy of

Denmark-Schleswig in defiance of Treaties, at the maintenance of the Constitution of the year 1855 for such a Monarchy, and at the entire separation of the German element from the community in so far as it may not be possible to stifle it.

Most gracious King!

Three of the four countries which form the Danish Monarchy, and for which that Constitution was intended to be the common tie, have solemnly entered a protest against the validity of the same Constitution. The Germanic Confederation has joined in this protest, and recently an English statesman, whose wishes for the welfare of the Danish Monarchy cannot be doubted, has given his opinion in favour of the abolition of the Danish-Schleswig Imperial Council (Reichsrath). Notwithstanding, your Majesty's Government maintains a policy the sad effects of which have been manifest to all parties. Neighbouring nationalities, which for more than 400 years have lived close to each other in unanimity and peace, are now opposed to each other as enemies, and cannons divide countries which have been closely united for centuries. These, most gracious King! are the fruits of the political system which, although condemned by all Europe. is maintained here with the greatest pertinacity. The States of Holstein could not therefore but hear with deep grief that in the answer given to an address of the Danish Landsthing, by the advice of your Majesty's Ministers, such a policy was designated as the effusion of loyal and patriotic sentiments.

The States of the Duchies of Holstein have repeatedly testified before your Majesty that the satisfactory solution of the present troubles can only be effected by the reunion of the Duchies of Schleswig and Holstein. They feel themselves bound to express as their innermost conviction to your Majesty, that a return to a real and lasting peace can only be effectuated in this way, and they do not give up the hope that a time may come in which it will be proved that the Monarchy is not endangered but strengthened by the union of the Duchies. If, however, their faithful perseverance in this conviction has been so misinterpreted, as if the States of the Duchy of Holstein had ever refused propositions which would have held out a prospect of a better state of things than the present one, the Holstein States have only to point to their last two sessions in order to prove that it was not the States who repulsed the hand of reconciliation, but that it is your Majesty's Government, who, by refusing to accept not only our propositions but also the counsels of all the great Powers, have brought the Monarchy into that dangerous position in which it now stands.

It cannot be the business of the Holstein States to anticipate the negotiations of the great Powers and of the Federal Diet with your Majesty's Government, but they consider it their duty to pronounce as their firm conviction, that only a complete return from the political system followed up to this time can lead to the peace and welfare of the Monarchy.

With the profoundest respect, your Royal Majesty's most humble and faithful Assembly of the Provincial States of the Duchy of Holstein.

No. 9.

Mr. Paget to Earl Russell.—(*Received February* 24.)

My Lord. *Copenhagen, February* 18, 1863.

THE United Committee of the Holstein States have presented their Report upon the different measures submitted to the consideration of the States by the Danish Governmen. It is so very long that it is quite impossible to have it translated in time for the present messenger, but your Lordship will already have learnt its principal features from the telegram of which I inclosed a translation in my despatch of the 11th instant. There are, however, some points in the Report which were omitted in the telegram, and it may therefore be a convenience to your Lordship that I should briefly recapitulate its substance.

The Danish Government, yielding to the demands of the Diet, presented to the Holstein States at the opening of the present Session the Budget and other laws relating to the common affairs of the Monarchy; but in doing so they reserved their rights as to following a similar course on future occasions. The Holstein States, however, for this Session are, no doubt, practically in possession of a complete competence to treat the affairs submitted to them. Not satisfied with this, the Committee demand that the right of the States to occupy themselves about the common affairs of the Monarchy shall be recognized in an absolute manner, without any restriction whatever; that no modification of the existing order of things in the Monarchy shall be effected; and that no

law shall have force in any part of the Monarchy unless it has been voted by the Holstein States and the Rigsraad respectively.

The effect of such an engagement on the part of the Government would, I take it, be practically this: Supposing an addition to the navy to be required and the necessary credit should be voted by the Rigsraad, the Government would not be at liberty to carry out their intention unless the Holstein States should likewise give their consent. In other words the administration of the whole Monarchy would vest in the States of Holstein.

The Committee complain of the Reserve Fund having been devoted to armaments against Holstein, although the Danish Government had undertaken for the financial period last past to confine themselves to the normal Budget in so far as the contribution of Holstein was concerned. They likewise complain of the restrictions on the liberty of the press, &c., &c., apparently oblivious of the fact that in the Session of 1861, a new Provincial Constitution guaranteeing every civil and religious liberty was offered to them, but by them rejected.

The conclusion of the Report, of which I have the honour to transmit herewith a translation, sets forth the demands of the Committee as regards the common affairs; and I also inclose, in translation, an Address to the King which has passed the second reading, and from which your Lordship will perceive that the only remedy which the Holstein States can consider efficacious for the numerous evils complained of is a re-establishment of the union between Schleswig and Holstein on the ancient basis.

I have, &c.
(Signed) A. PAGET.

Inclosure 1 in No. 9.

Extract from the "Berlingske Tidende" of February 13, 1863.

(Translation.)

THE Committee elected by the Holstein States having declined to discuss, in their present form, the drafts of Laws laid before them by the Government, propose that the Assembly shall present a Memorial to His Majesty the King, praying—

1. That His Majesty, during the present Session, will be pleased to cause to be laid before the Assembly of the States a draft of a law—in conformity with the Resolution of the Confederation of March 18, 1860—with respect to the provisional position in common affairs, of the Duchy of Holstein to the Danish Monarchy.

2. That His Majesty, in the event of it appearing impossible to fulfil the humble prayer set forth under paragraph I, will be pleased to give the Assembly, during its present Session, the assurance that no change shall take place in legislation on the subject of duties and charges on shipping, more especially with regard to the districts where these (duties and charges) are now in force, without the sanction of the States of Holstein, until the constitutional position of the Monarchy shall have been definitively settled.

Inclosure 2 in No. 9.

Draft of an Address to the King, drawn up by a Committee of the Holstein States.

[See Inclosure in No. 8.]

No. 10.

Mr. Howard to Earl Russell.—(Received March 2.)

My Lord, *Hanover, February* 26, 1863.

BARON PLESSEN, the President of the Holstein States, recently transmitted to Count Platen a Memorandum which he had drawn up, strongly recommending the adoption of your Lordship's proposals of the 24th of September last, as a basis of arrangement of the Schleswig-Holstein question, and pointing out the manner in which, according to his opinion, they should be carried out.

Count Platen informed me yesterday that, in compliance with the Baron's request, he had forwarded copies of the Memorandum to the several German Governments. His Excellency, at the same time, placed a copy in my hands for transmission to your Lordship, in case it should have interest for you.

I have accordingly the honour of inclosing a translation of it.

I have, &c.
(Signed) HENRY F. HOWARD.

Inclosure in No. 10.

Memorandum by Baron Plessen.

(Translation.)

NO one sincerely desirous of a peaceful settlement, honourable to both parties, of the long-pending dispute between Germany and Denmark, could do otherwise than hail with satisfaction the proposals contained in Lord John Russell's note of the 24th of September last. They originated in the conviction at which the British Cabinet had arrived, that the longer the negotiations between the Great Powers of Germany and Denmark lasted, the wider would be the breach between the two disputants, and the more violent the debate, added to the apprehension that sharp words might soon be followed by events calculated to disturb the peace of Europe,— events which it was their wish to avert. Russia and France viewed matters in a similar light with England, and have pronounced themselves in favour of the expediency of the Proposals. Austria and Prussia have likewise signified their concurrence in all essential particulars.

Under these circumstances, notwithstanding the refusal of Denmark hitherto to consent to the proposals, there seems to be no small prospect of success attending the task lately undertaken by Lord John Russell. The Cabinets of England and of the other non-German Great Powers are best able to judge how far it is competent for a Great Power, without danger of lessening its own weight, to show longanimity and forbearance in the case of a Power of the second or third order obstinately refusing to fulfil its unquestionable obligations. They could not fail to be of opinion that the utmost limits had been reached, and that Austria and Prussia had nothing left but to take forcible measures to oblige Denmark to fulfil the obligations which she had taken upon herself. On the other hand, they could not but be alive to the fact that Denmark would resist to the last as long as she thought she could count upon the support, even if it was only at first the moral support, of the non-German Great Powers. Under these circumstances, war seemed to be imminent.

The non-German Great Powers took the readiest means of averting such a calamity. In recognising the obligations on the part of Denmark as claimed by Germany, they deprived Denmark of the expectation of their moral support. They went even still further in the interest of the peace of Europe, and particularly in the interest of the Danish Monarchy, whose integrity would be obviously imperilled by the outbreak of a war undertaken in support of a nationality which forms so important an element in that Monarchy. They made proposals for the purpose of putting an end to the dispute.

The state of the case, then, is favourable. The non-German Great Powers have pronounced a judgment, and the judgment is in favour of the claims of Germany. It has not been pronounced precipitately, but after many years of friendly interposition in the dispute, and after such an interchange of correspondence that no civil or political suit of modern times can show a similar abundance of explanatory matter, and that the subject may be considered as fully exhausted. It is not probable that Denmark, completely isolated, or reduced almost, in the event of serious complications, to the inefficacious aid of Sweden and Norway, will persist in its unjustifiable resistance to the claims of Germany, backed as they are by the support—though only the moral support—of the non-German Great Powers; that is to say, of nearly all Europe.

Should things come to the worst, Germany, however, is placed in the comparatively fortunate position of one not merely enforcing her own claims, but acting in concert with the non-German Great Powers, and giving effect, as it were, to the wishes of nearly all Europe. Germany will not risk the loss of this favourable position, won by the persistent efforts of years, and by considerable self-denial. To insure its continuance, the Cabinets of Germany will persevere as heretofore in endeavouring to prevent the non-German Cabinets from relaxing in their attempts to induce Denmark by their influence to agree to the proposals which have been made.

This end, however, will not be attained, and differences barely composed will still smoulder under the ashes, perhaps at no distant time to break out again into a devastating flame, even if at the present moment an agreement were arrived at which would leave essential points of difference unsettled, and would be unaccompanied by any security for loyal fulfilment. It behoves us, therefore, to examine carefully the proposals of Lord John Russell, if not in the present stage in all their collateral details, at all events as to their main features.

They do not aim at anything new, or at a return to any point of departure previously abandoned, but follow the Compact of 1851-52, and endeavour to supply its deficiencies. The Great Powers of Germany and the German Diet in their negotiations with Denmark have also hitherto maintained the basis of 1851-52. It originated, certainly, under influences and

under circumstances peculiarly favourable to the realization of the views prevailing in Denmark. It gives no satisfaction to the wishes and views prevalent in the Duchies. To satisfy the latter, the internal organization of the Danish Monarchy would have to assume a form which would lead to a closer union of the Duchies of Schleswig and Holstein, and to the establishment of a federative position for the Duchies as regards the Kingdom. This would not be at variance with the integrity of the Danish Monarchy, but would, perhaps, better than any other arrangement, contribute to its strength, both on account of the internal tranquillity which would ensue, and of the force which would be placed at its disposal in its relation with Foreign Powers by a sound development of the remedies within its reach.

But the basis of 1851-52 is not to be explained away; it has been accepted by Germany, and recognised as expedient by the non-German Great Powers. To abandon it in the present condition of Europe, and with the feeling now prevailing in Denmark, and to substitute another with the view to the state of things described above, would either lead to nothing, that is to say, to a continuance of the present insupportable condition of affairs, or else to a war in which Germany could not reckon upon the sympathy of Europe.

The final issue of a war, undertaken under these circumstances, would be doubtful, and would not have the appearance of being intrinsically just. For the pacific means of settling the quarrel—pacific in spite of the moral pressure to be exercised—which the proposals of Lord John Russell, founded as they are upon the Treaty basis of 1851-52, offer, would not have been exhausted before proceeding to hostilities. If, however, contrary to all expectation, these means too should fail, the victor in a war, undertaken under much more favourable circumstances, would be free to establish finally a state of things framed in accordance with his own notions of right. Things, however, cannot go on as they have done. The Great Powers of Europe will not permit the most sacred rights of humanity to be so trampled under foot, within reach of their authority, and in the midst of the most civilized portion of Europe, as they have been and continue to be in Schleswig under the rule of the "Eider" Party. The Great Powers of Germany are not only pledged to a removal of the grievances to which the German population of Schleswig are subject, but also to ensuring equality of rights for the German constituent parts of the Danish Monarchy, and for their representatives with reference to the representatives of the Danish nationality. They cannot, as stated above, fail to redeem that pledge without serious prejudice to their influence as Great Powers. The rest of Germany will willingly leave the matter in the hands of the Great Powers as long as they intervene in behalf of the violated rights of their kinsmen. But if this leadership should fail in its purpose, it would be entirely to misapprehend the spirit which animates the German nation to suppose that, sooner or later, it would not, independently of that leadership, take its own course for the purpose of aiding the Duchies in the attainment of their rights.

The Compact of 1851-52 must therefore be the starting point, and must be strictly adhered to. Alone, however, it is not sufficient, as is proved by the fact that a state of things so much at variance with it as that, so often and fully described, which has given rise to the present complaints, could have been introduced, and could continue to exist at the present moment, although the compact itself still holds good. It must be cleared of those defects which prevents its practical execution. The nature of those defects might escape that foresight with which man is endowed only to a limited extent, but the experience of the past years leave no doubt as to what they are. They consist in the vagueness of the compact itself, admitting on many points of conflicting interpretations, and also in the circumstance that its execution was left simply to the good faith of the Danish Government without any guarantee, foreign or intrinsic. Lord John Russell, with the perspicuity of a statesman, saw this, and by the proposals which he made endeavoured to remedy it. The course which he has adopted in this respect is one which cannot fail to have the approbation of every dispassionate judge, for he has separated the points about which there can be no reasonable difference of opinion from those which demand further discussion. To the first category belongs the unequivocal condition that Schleswig, without the consent of her representatives, can have no common Constitution with Denmark in which the remaining portions of the Monarchy have not an equal share. According to the Compact of 1851-52, there was as little power to introduce a common Constitution for Schleswig without the co-operation of the Chambers, as there was for the other Duchies. Not only was their co-operation dispensed with, but the Chambers subsequently declared themselves positively against the Constitution of October 2, 1855. It was further stipulated that, by means of a common Constitution, a homogeneous ("gleichartige") union should be formed of the countries composing the Monarchy with the State in its entirety,—a union in which no one portion should be subordinate to the other. This homogeneous union has ceased to exist from the time that Holstein and Lauenburg seceded from it, and the result is that the representatives of Schleswig in the Reichstag, owing to the numerical inferiority of their votes, are in complete subjection to the overwhelming majority

formed by the representatives of the kingdom. This affords ample and unquestionable proof that the common Constitution for Denmark and Schleswig rests on no legal basis. It must consequently be abandoned before Germany can enter upon further negotiations.

With regard to the Federal Resolution, the validity of which Lord John Russell justly describes as beyond question, viz., that in virtue of which no law relating to the common affairs of the country, particularly in matters of finance, can be passed for Holstein and Lauenburg without the consent of their respective Chambers, it has merely reference to a provisional state of things, and the only question that can now arise is that of establishing a permanent State. Until that end, however, is attained, it is more than ever necessary that the Federal Resolution be adhered to; otherwise, during an interim of however short duration, important interests of the Duchies might be imperilled and suffer incalculably. Injuries of this kind, apart from the direct evil inflicted on the Duchies, might originate fresh claims, and thus throw new obstacles in the way of a definitive settlement of differences.

Finally, in the maintenance of the Federal Resolution, the Danish Government will find a powerful incentive to be prepared to devise some definitive settlement of affairs.

These preliminaries must first be settled before it will be possible to enter, with any prospect of success, into negotiations on the subject of regulating the definitive constitutional arrangements as regards the common affairs of the Monarchy, and of securing the relative independence of the Duchies, especially of the Duchy of Schleswig.

As regards the first of these, Lord John Russell admits that, with such heterogeneous elements as exist in the Danish Monarchy, the real difficulty of a common Constitution, in which the Representation of the country would have an absolute vote, lies in the right of veto possessed by the Chambers of the Duchies, and by the Reichstag for the Monarchy.

The Holstein Chambers, in the proposals made by them in the year 1859, urged the same point, and supported it in the declarations which accompanied those proposals, by arguments drawn from the nature of the case, which, up to the present day, however much the conclusions drawn from them have been attacked by the partizans of Denmark, have never been really refuted.

The Representatives of the Duchies cannot but feel satisfaction at this same point being now urged by one whose statesmanlike sagacity, and able grasp of the subject in its inmost essential parts, has long been universally acknowledged, and they cannot but be strengthened in their conviction that the proposals made by the Holstein Chambers, with the best intentions, and with no little self-denial, deserved a more attentive consideration from the Danish Government than they received. Lord John Russell has admitted, however, at the same time, that the right accorded to each of the separate Chambers to pass independent Resolutions on the common affairs of the Monarchy, might easily result in paralysing the regular action of the Danish Government. As a corrective to this, he proposed, therefore, an arrangement which consists partly in curtailing the powers of the Chambers, and partly in the creation of a Common Council of State. In the first instance, it is proposed that a Budget, reckoned as economically as possible, to meet the ordinary wants of the State, to be voted for ten years, be agreed upon between the Government and the several Provincial Chambers. They are to have nothing to do with the expenditure of the sums included in this Normal Budget, but the consent of each separately must be obtained to any expenditure exceeding this Normal Budget, in such manner that the Government may have power, failing unanimous consent, to expend such portion of the sums as may be voted.

As regards the Normal Budget, its introduction would be the less attended with difficulty, inasmuch as a Normal Budget of 1856, in harmony with the principles laid down by Lord John Russell, already exists, and has long been considered throughout the whole Kingdom as the basis of financial administration as regards the common affairs of the Monarchy, and it forms the basis adopted by the Holstein Chambers in their proposals.

Nor is there anything of importance to be urged against the proposal in virtue of which the Government, in the contingency referred to above, is to have the disposal over any sum voted by any single one of the Provincial Chambers, as the Chamber in question, by voting the sum, signifies its opinion that the expenditure is a proper one, and if it considers, in the interest of the country which it represents, that the sum ought only to be voted on the condition that the remaining portions of the Monarchy should contribute their quota, it is quite competent for it to couple its vote with that condition.

The gap occasioned by thus limiting the action of the Provincial Chambers would be filled by a Council of State empowered to vote yearly the expenditure comprised within the Normal Budget. If this proposal were acceptable on general grounds, it would have to be borne in mind that the composition of the Council of State, as proposed by Lord John Russell, viz., two-thirds Danish, and one-third German, does not meet the circumstances of the case, and would afford no sufficient guarantee for the protection of German interests.

The election to the Council of State on the basis of nationality cannot well be adopted,

because the countries of which the Monarchy is composed, and whose equality of rights and reciprocal independence is to be secured, must be represented even in this Assembly in that character, and one of them, viz., Schleswig, is known to be of a mixed nationality. It would, therefore, be more suitable to the circumstances of the case if an equal number of Members from Holstein, inclusive of Lauenburg, Schleswig, and Denmark, the same number from each, were to sit and vote in the Council of State, to be chosen by the inhabitants directly, according to an electoral law, to be settled by agreement, or else to be elected by the different Provincial Chambers. No nomination of Members of Council by the Crown, such as was proposed by the Government to the Holstein Chambers in their last Session with reference to a First Chamber, would meet with any approbation whatever. There would be no deceiving people as to the fact that the nomination would not rest with the King personally, but would invariably be decided by his Ministers. The latter, from ordinarily residing in the Capital, are too much exposed to the dominant influences there to be in a position to lay claim to perfect impartiality, at least such is the opinion generally entertained in the Duchies. Willing tools of every kind of policy, anti-German included, might always be found, even in the German portions of the Monarchy.

Supposing that the administration of the common affairs of the Danish Monarchy could be settled in the manner above indicated, and in substantial accordance with the proposals of Lord John Russell, no internal peace could be restored, and the Representatives of the Duchies themselves would be constrained to refuse their co-operation towards effecting the organization in question, unless a guarantee was given that likewise as regards the internal concerns of each country, a system should be followed in conformity with the requirements of justice and with the stipulations of 1851-2.

To describe the system hitherto pursued, every Democratic leaning is gratified in Denmark to the utmost, and the Reichstag, which is constituted on Democratic principles, is in the possession of absolute power; whilst on the other hand Holstein and its Representatives are treated with extreme arbitrariness, unkindness, and want of consideration, and in Schleswig the German element is oppressed in the most tyrannical manner, and the "Eider" Party indulged in every way. The situation of affairs in Denmark Proper lies beyond the scope of the present considerations; it is prepared to grant Holstein more constitutional freedom in relation to its internal affairs, but at the price of severance from Schleswig and from the Kingdom of Denmark; it is also prepared to grant Schleswig a liberal Constitution similar to the Danish, but on the condition that Holstein breaks off the close union by which the two are connected, that the Danish element in Schleswig acquires absolute preponderance, and that the Duchy remains closely united to Denmark by a common Constitution for the common affairs of the Monarchy. Neither in Holstein nor in Schleswig, however, will they accept free institutions at such a price, however enticing they may appear in other respects, if attainable with honour.

It is this system, in such marked contradiction to the text and the spirit of the Compact of 1851-52, that has rendered any agreement between the Danish Government and the Chambers of the Duchies hitherto impossible. It has been the cause for years past of every evil to the Duchies and to the Monarchy in general, and has occasioned the strife which threatens the peace of Europe. This system must be permanently abolished. The Danish Government must admit that Schleswig is not a Danish province which it is free to govern at discretion in a Danish sense, but that it is an independent Duchy, in which the German nationality has as much claim as the Danish to protection and respect for its rights. This is the condition attached to peace of any kind There is no other way of effecting this on the basis of the Compact of 1851-52 than the one proposed by Lord John Russell, viz., the real autonomy of the Duchy. This, of course, would have to find expression in a Constitution, to be settled in conjunction with the Schleswig Chambers. Certain points, however, would have to be established by Treaty between the Contracting Powers.

To these would belong, in the first place, stipulations for the final settlement of the question as to the language to be employed in the churches and schools.

To the proposal that it should be left to the Chambers to decide in what parishes Danish, and in what German, should be used as the language in church and school, and in what parishes divine service should be in one language on one Sunday and in the other language on another; the Danish Government would object that in such a case the resolutions would be adopted in accordance with the wishes of the German majority without sufficient regard for the Danish population in the districts in question. The best solution, therefore, would be, as has been repeatedly proposed by the Schleswig Chambers, that all the settled inhabitants of full age of the parishes in question should decide the matter by an unrestricted vote and by a majority of votes. Care would have to be taken, however, that the vote took place free from any influences which would prevent the inhabitants from giving unrestrained expression to their real wishes. It would be expedient for the voting to be placed under the superintendence of

Commissioners from the Chambers, consisting, in every parish, of a member of the German majority and a member of the Danish minority.

Another point which requires to be settled by Treaty, is that relating to the employés and to the University of Kiel, which was assigned by the Compact of 1851–52 as the joint University of the Duchies. It is a matter of notoriety that, of late years, a number of employés of Danish nationality and education have received appointments in the Duchy of Schleswig, and even in the purely German portions of it, and they have served as the most zealous and unscrupulous tools of the Government in carrying out its party views. It is true that a common Law of Naturalisation for the Duchies and the Kingdom has existed since the year 1776, but at the same time there was a provision in force in the Duchy of Schleswig up to the year 1850, and which is still in force in Holstein, in virtue of which, any person, to be qualified for an appointment in the Duchies requiring a scientific education, must have studied for two years at Kiel. An exception to this rule was made, as regarded natives of the Duchies, only in favour of candidates in theology who were desirous of ecclesiastical employment in the northern portion of the Duchy.

After the agreement which had been made between the Danish Government and the two Great Powers of Germany, by which the University of Kiel was to remain the common property of the two Duchies, the validity of the ordinance issued by the Special Government Commissioner for the Duchies during the War, abolishing the regulation described above, ought to have ceased. Such has not been the case hitherto, but it must be claimed now on the basis of the Compact of 1851–52. In order to put an effectual end to the manifold persecutions by employés full of party spirit, the Danish Government must bind itself to remove from their offices, within a short and prescribed space of time, all such employés appointed in Schleswig since the year 1852—that being the time at which the Compact came into operation—as had not fulfilled the legal conditions above-mentioned, and never to reinstate them in the Duchies.

In further contradiction with the Compact relative to the University of Kiel, the half-yearly course of instruction in the higher schools of the Duchy of Schleswig falls at such a time of the year that the close of the half-year corresponds with the opening of the half-yearly lectures at the University of Copenhagen, but not with the opening of those of the University of Kiel. This throws a serious difficulty in the way of the pupils released from the schools of Schleswig visiting the University of their choice; and the Danish Government should be called upon with reference to it to re-establish the former state of things.

In conclusion, notice must be taken of the Notification issued by the Ministry for Schleswig of December 23, 1858. It informed the public that His Majesty the King had been pleased, on the recommendation of the Minister, by a royal rescript dated the 14th of December, to dissolve, as regarded the Duchy of Schleswig, the Schleswig-Holstein-Lauenburg Society for National History, and also the Schleswig-Holstein-Lauenburg Society for the Collection and Preservation of National Antiquities. The Notification in question lays it down as a principle that no association or society for the purpose of uniting the Duchies of Schleswig and Holstein in community of action for any object whatever, can be tolerated. In conformity with this principle, the Horticultural Society, the Society for the Promotion of Physical Science, the Art-Union in Kiel, and several other societies and associations in the Duchy of Schleswig were dissolved, and the formation of similar ones forbidden.

Enactments of this kind are at variance with the promises made by the Danish Government, under the forms of engagements, in Annex 2, Article 3, of the despatch of December 6, 1851. It is there expressly stated that the principle, on which the so-called Schleswig-Holsteinism was condemned, opposed no obstacle whatever to the continuance of ties existing in the nature of things between contiguous countries and arising out of the similar conditions of the soil and out of the alimentary interests of the inhabitants, as ties of such a nature were bound up with the necessities of social and industrial life. The document goes on to state that as a matter of course His Majesty the King would do his best to further and stimulate these ties by uniform legislation for the Duchies as in the other portions of the Monarchy.

This fully justifies and necessitates a demand for the re-establishment of free intercourse between the inhabitants of the two Duchies, by the abolition of all those adverse enactments which are opposed to the compact of 1851-52.

No. 11.

Mr. Lytton to Earl Russell.—(*Received March* 3.)

My Lord, *Copenhagen, February* 28, 1863.

YOUR Lordship is already aware, from Mr. Paget's despatch of the 18th instant, of the grounds on which the States of Holstein have declined to vote upon the Budget and other laws relating to the common affairs of this Monarchy, which were submitted to their consideration by the Danish Government as an exceptional measure, and with a reservation on the part of the Government of its future freedom of action in regard to the general principle still at issue between the Cabinet at Copenhagen and the Holstein States.

In coming to this decision the Holstein States also drew up a Memorial to the Crown, setting forth the various grievances of which they complain, and expressing the conviction (as recorded by Mr. Paget in his above-mentioned despatch) that the only permanent and efficient remedy for these grievances is to be sought in the re-establishment of the ancient union between Schleswig and Holstein.

The issue thus raised between the Holstein States and the Monarchy is so direct that your Lordship will not be suprised to learn that the Commissioner for Holstein has refused to present to the King the address in which this opinion is avowed.

He has also stated (during the debate on the projects of laws submitted to the Assembly) that the Government do not desire any exclusion of Holstein from equal participation in the affairs common to the United Monarchy, but that if the Assembly and the Rigsraad should fail to come to an agreement upon any special project of law, then it would be absolutely necessary that, in respect to that particular law, a separation should take place. That is to say, if the Budget for the navy or any other department of the general Executive should be rejected *in toto* by the Assembly after being voted *in toto* by the Rigsraad, the Government would consider the rejection of the Budget by Holstein as valid only for that quota of the general expenses which Holstein is called upon to support.

I subjoin an abstract of an article in the official Gazette of this morning, giving an account of the language held by the Commissioner to the Assembly, and of his reply to some of the complaints recently set forth by the Holstein States, and recorded in Mr. Paget's despatch.

As, I believe, the Budget was only voted by the Rigsraad on an understanding with the Government that a vote should be obtained from Holstein for that portion of it which is chargeable on the Duchy, it remains to be seen whether, in consequence of the decision of the Assembly of the 18th instant, the Government will now feel themselves compelled to summon the Rigsraad together. I have not yet had any opportunity of conversing with M. Hall upon this subject, but I understand that the Cabinet is anxious not to take such a step so long as it may be possible to avoid it.

I have, &c.
(Signed) R. LYTTON.

Inclosure in No. 11.

Abstract of Article in the "Berlingske Tidende" of February 27, 1863.

THE Royal Commissary referred to the views earlier expressed by him. In accordance with instructions since received, he would state that the Constitution of October 2, 1855, having been repealed, in so far as Holstein was concerned, no other course could be followed than that adopted by the Government; and, on account of the insufficiency of funds granted by the normal budget, it was impossible that, for any sums required in addition thereto, the Government should be dependent upon the unanimity of the Rigsraad with the Assembly of the Holstein States. The demand made by the States that every financial proposal should be laid before both Assemblies, and that each should have equal power to accept or refuse it as a whole, was contrary to the usual constitutional ideas in other States. In other countries one Chamber only had the principal influence in the settlement of the budget. It would be impossible to admit a separate control on the part of one portion of the country over the additional funds (beyond the amount of the Normal Budget) required by another portion thereof. The Government did not contemplate the repeal or restriction of the existing Union ("Falledskab"); but if the Assembly and the Rigsraad could not agree upon a special

project of law, then it would be absolutely necessary that a separation with respect to such project of law should take place.

The Government could not renounce their right to obtain from one portion of the country additional funds, if required, because the other portion had refused to vote the amount corresponding to their share thereof.

With regard to the complaint of the Assembly that the Law of Conscription had been laid before the Rigsraad, and not before the Assembly, he said that this had been done because no special law on the subject was required for Holstein.

With respect to the statements in the report of the Committee on the subject of the funds in the Treasury and Reserve Fund, the Commissary observed that these belonged to the "affairs in common," and that, so long as those affairs remained common, the individual State had no control over them. Nor, indeed, because a portion of these funds had been used, could any evidence be produced that the portion of Holstein had been touched. The three resolutions laid before the States in 1861 had not been produced in order that the States might legislate upon them, but only for their information.

There was no intention to sever the Union between Holstein and the other portions of the Monarchy; but if the States refused to discuss the drafts of laws laid before them, then it became a question whether the States did not endanger the Union. The Government were desirous that the Customs law should pass as sufficient for the whole Customs district. If the Rigsraad should propose to make any alterations in the Customs law, the Government intended (provided the alterations were not at variance with the principles of the law) again to lay it before the Holstein States. The fear entertained by the States that the proposal was made in order to establish a division in the Customs district, he was authorised by the Minister of Finance to declare unfounded.

No. 12.

Count Manderström to Count Wachtmeister.—(Communicated to Earl Russell by Count Wachtmeister, March 3.)

Stockholm, le 22 Janvier, 1863.

L'ON connaît sans doute déjà à Londres les propositions faites par le Gouvernement Danois aux Etats du Holstein, et les résolutions qui en ont été la suite à Itzehoe. Cette fois, au moins, l'on ne saurait reprocher au Gouvernement Danois d'avoir manqué de franchise; le budget et presque tous les projets de loi approuvés par le Rigsraad dans sa dernière session ayant été soumis aux Etats du Holstein. Ceux-ci y ont opposé les mêmes fins de non-recevoir, en déclarant que rien ne pourrait rétablir l'ordre légal, sinon la ré-introduction des liens entre le Slesvig et le Holstein, tels qu'ils existaient avant 1848. C'est là le seul point auquel le Gouvernement Danois ne pourra jamais accéder; celui auquel le Holstein n'a aucun droit. Les Etats ne l'ignorent aucunement; ils devraient savoir de même qu'il n'y a point de droit contre le droit; et leur résolution témoigne ainsi uniquement du désir bien arrêté de ne point prêter les mains à un arrangement.

Les résolutions sont identiquement les mêmes que celles adoptées par les Etats du Holstein il y a tantôt deux ans; notre avis reste également le même que celui que nous avons exprimé dans des dépêches des mois de Mars et de Mai, 1861, communiquées dans le temps au Gouvernement de Sa Majesté Britannique. Nous croyons toujours que la seule solution pratique et possible consiste dans une séparation administrative complète des Duchés Allemands du reste de la Monarchie Danoise, tout en sauvegardant soigneusement les droits de la Confédération Germanique par rapport aux provinces qui appartiennent à ce corps d'Etats.

Nous avons quelque lieu de croire que le Gouvernement Danois, qui se trouve placé dans une position intolérable, et de laquelle il lui faut nécessairement sortir, à moins de courir le risque d'une dissolution complète de la Monarchie, se décidera à adopter cette solution, et à la proposer à la représentation. Si tel est le cas, il est de la plus grande urgence pour lui de trouver chez le Gouvernement de Sa Majesté Britannique un appui et un concours pour la mise à exécution de ce plan. Il ne manquera point de le lui exposer d'une manière plus développée, mais je pense qu'il serait utile, si vous vouliez préparer Lord Russell à une pareille communication éventuelle, tâcher d'obtenir la-dessus son avis, et chercher à bien disposer cet homme d'état en faveur d'une solution qui nous paraît de nature à offrir satisfaction à tous les sujets de Sa Majesté Danoise, et en même temps à l'Allemagne, en tout à quoi elle est légalement autorisée à prétendre.

Vous pouvez faire lecture de cette dépêche à Lord Russell, et même en laisser copie, si son Excellence le désirait. J'écris dans le même sens au Ministre du Roi à Paris.

Agréez, &c.

(Signé) MANDERSTRÖM.

(Translation.)

Stockholm, January 22, 1863.

THE propositions made by the Danish Government to the States of Holstein are doubtless already known in London, and the resolutions consequent thereon at Itzehoe. On this occasion, at least, the Danish Government cannot be reproached with want of frankness; the Budget, and almost all the projects of law approved by the Rigsraad, having been submitted to the States of Holstein. These States rejected them all, declaring that nothing could re-establish legal order except the re-introduction of the bonds of union between Schleswig and Holstein such as they existed previously to 1848. This is the sole point which the Danish Government can never yield; one to which Holstein has no right. The States are in no wise ignorant of this; they ought to know that against right there is no right, and their resolution thus bears witness to their firmly fixed desire not to come to an arrangement.

The resolutions are identically the same as those adopted by the States of Holstein about two years ago; our views remain likewise the same as we expressed in the despatches of March and May 1861, which were at the time communicated to Her Britannic Majesty's Government. We continue to think that the sole practical and possible solution consists in the complete administrative separation of the German Duchies from the rest of the Danish Monarchy, at the same time that the rights of the German Confederation are carefully protected, as regards the provinces which belong to that body of States.

We have some reason to believe that the Danish Government, which finds itself now in a position that cannot be endured, and out of which it must of necessity emerge, unless it means to run the risk of a complete dissolution of the Monarchy, will determine to adopt this solution, and to propose it to the representative body. Should such be the case, it is of the greatest importance that the Danish Government should find in Her Britannic Majesty's Government support and co-operation in carrying out this plan. It will not fail to lay before the latter a more detailed account of the matter; but I think it would be advisable that you should prepare Lord Russell for such a communication eventually, and endeavour to obtain his opinion thereon, and to prevail on him to view with favour a solution which appears to us of a nature to give satisfaction to all the subjects of His Danish Majesty, and at the same time to Germany, in every point in which she can legally claim a right to interfere.

You are at liberty to read this despatch to Lord Russell, and to leave a copy with him, should he desire it. I write in the same sense to the Minister of the King at Paris.

Accept, &c.

(Signed) MANDERSTRÖM.

No. 13.

Mr. Lytton to Earl Russell.—(*Received March* 5.)

My Lord, *Copenhagen, March* 2, 1863.

WITH reference to my despatch of the 28th February, I have the honour to inclose herewith a translation, by Mr. Vice-Consul Rainals, of a telegram from Holstein, which has appeared this morning in the Official Gazette.

I have, &c.

(Signed) R. LYTTON.

Inclosure in No. 13.

Extract from the "Berlingske Tidende" of March 2, 1863.

(Translation.)

THE President of the Assembly of the States of Holstein announced, on the 28th ultimo, that the following resolution would be proposed by Baron de Blome:

"The Assembly of the States of Holstein resolve—That a communication be made to the Germanic Confederation respecting the projects of laws laid before it during its present Session, defining the position of the Assembly to the Royal Government; and further, to express the hope that the Germanic Confederation may succeed in taking the proper steps to secure the privileges and the interests of the Duchy of Holstein."

No. 14.

Mr. Lytton to Earl Russell.—(*Received March* 9.)

My Lord, *Copenhagen, March* 5, 1863.

OF the various projects of law which were recently submitted by the Danish Government to the Assembly of the Holstein States, the only one that has received any discussion in that Assembly is that which relates to the new tariff.

This Bill, after receiving certain amendments since it was brought forward in the Rigsraad, was submitted to the Holstein States, in order that, after having received the sanction of the Assembly, it might be again submitted to the Rigsraad, and, if passed, become law for the whole Monarchy so far as the Elbe, which forms the existing Customs frontier of Denmark.

The Assembly appear to have been naturally apprehensive that, if by refusing to vote the proposed tariff, they should render it legally invalid for Holstein, the Danish Government might consider itself thereby authorized to consider the tariff applicable to the rest of the Monarchy, excluding Holstein, and thus withdraw the Customs frontier from the Elbe to the Eider.

The Royal Commissioner has accordingly been requested to assure the Assembly that, notwithstanding the refusal to consider this and the other projects of law by the Holstein States, no such step will be taken by the King's Government.

The Commissioner has declined to give any such promise on behalf of the Government, but has declared that he will refer the wishes of the Assembly to the Minister of Finance for further consideration.

It is obvious that the removal of the Customs frontier to the Eider would materially and most injuriously affect the trade of Holstein with Schleswig and Jutland, a trade which is at present very extensive. But such a measure is doubtless much desired by the Eider and Scandinavian Party in Denmark, and if adopted it would probably be viewed with favour by Sweden.

I have, &c.
(Signed) R. LYTTON.

No. 15.

Mr. Lytton to Earl Russell.—(*Received March* 9.)

(Extract.) *Copenhagen, March* 5, 1863.

ON the 28th ultimo M. Blome announced in the Assembly of the Holstein States his intention to propose to the Assembly that a communication should be by them addressed to the Germanic Confederation, praying that Body to take the necessary steps for the protection of the rights and interests of Holstein.

On the 2nd instant this proposal was brought forward by M. Blome, and on that occasion the Royal Commissioner informed the Assembly that, as he could not sanction by his presence any attempt to make the sovereign authority of Denmark subordinate to a majority of the Diet at Frankfort, if this proposal were discussed in the Assembly, he should be compelled to withdraw therefrom.

The President of the Assembly having asserted the right of the Holstein States to appeal to the Germanic Confederation in virtue, if not of the letter, yet of the spirit and intention of their charter, the Commissioner adhered to his previous declaration, and the matter was then referred to a Committee.

I inquired of M. Hall this morning whether, in the event of the discussion which would probably take place on the report of the Committee, the declaration thus made by the Commissioner would actually be carried out.

His Excellency informed me that he thought the proposal brought forward by M. Blome would be unanimously passed by the Assembly, but that the Commissioner would only withdraw from the discussion in the event of his presence proving to be absolutely incompatible with the language to which that discussion would give rise.

No. 16.

Mr. Ward to Earl Russell.—(*Received March* 9.)

My Lord, *Hamburgh, March* 6, 1863.

THE Session of the States of Holstein at Itzehoe continues, and they have been occupied partly with their local affairs and partly with the discussion of the financial propositions made to them by the Danish Government. There does not appear to be any prospect of an understanding between the States and the Government, in regard to the political position of the Duchy, nor could the Government reasonably expect a reconcilement, having done nothing whatever for giving effect to the Resolutions of the Federal Diet, whereby the constitutional rights of Holstein have been legally determined.

I had the honour to apprize your Lordship, in a former despatch (January 29) that the Danish Government, whilst refusing to recognize the Resolution of the Federal Diet, dated March 8, 1860, had nevertheless submitted exceptionally to the States twenty-one projects of laws of a financial nature, touching the common affairs of the Monarchy, amongst which were the indemnity due to Hanover for the Stade-Tolls, the appanage of His Royal Highness the Prince Christian Frederic (son of the Prince Christian), and the dotation of Her Royal Highness the Princess Alexandra. The Assembly voted at once unanimously the share demanded from Holstein of the Stade-Tolls indemnity, considering that payment as indispensably necessary, but referred all the other projects of laws in question to a select Committee, to examine and report thereon.

The Committee made its report to the Assembly on February 9, and therein observed that the chief question was whether the States could pass the Resolutions desired without endangering the Constitutional interests of the Duchy, that the Government had expressly refused to recognize the Federal Resolution of March 8, 1860, which required unconditionally that no law should be issued, especially in financial matters, for the Duchies of Holstein and Lauenburg, without the previous consent of the States, that a sum of 2,594,000 Rigsbank dollars* had been illegally taken from the common Treasury and Reserve Fund of the Monarchy' without asking the consent of the States, of which sum no less than 2,519,000 Rigsbank dollars had been used for military and naval preparations rendered necessary by the differences with Germany, and that Holstein was entitled to receive back its share of that money, and also that all money laws passed since the beginning of the financial period 1860–61, ought to be laid retrospectively before the States. The Committee further observed that the Assembly might eventually concur with the project of law for fixing new duties of Customs and Navigation, provided the Government would give an assurance not to carry the same into effect without the consent of the States, particularly as to the extent of territory to which the new law should apply, since an exclusion of Holstein in this respect from the rest of the Monarchy, might have injurious consequences. The Committee also remarked that the additional contribution required from Holstein out of its special revenues for the common expenditure of the Monarchy, in the period 1862–64, beyond the Normal Budget, was no less than 1,072,905 Rigsbank dollars. The Committee therefore recommended the Assembly not to enter upon the discussion of the projects of law touching the common affairs of the Monarchy, in their present state, but previously to petition the King-Duke—

1st. To lay before them a project of law fixing the provisional position of Holstein in the Monarchy according to the Federal Resolution of March 8, 1860.

2nd. Or otherwise to give them the assurance that no change should take place in the Customs and Navigation Duties, or the territory to which they applied, without the consent of the States.

The Report of the Committee underwent a discussion in the Assembly of the States during several days; and the Royal Commissioner having, on February 26, made an official declaration thereon, which was not considered satisfactory, the Assembly, in its sitting of the 2nd of March instant, unanimously adopted the report. The consequence is that all the financial propositions of the Government, with the single exception of the Stade-Tolls indemnity (which was voted without waiting for the report of the Committee) are for the present rejected by the Assembly, and cannot, therefore, be legally enforced in Holstein. It is unfortunate that among these rejected propositions are those for the appanage of His Royal Highness the Prince Christian Frederic (share of Holstein, 2,700 Rigsbank dollars per annum) and for the dotation of Her Royal Highness the Princess Alexandra (share of Holstein, 21,310 Rigsbank dollars, Danish), and I have reason to believe that many members of the States are personally much vexed at feeling themselves under the necessity of refusing to vote those two sums; but

* 1 Rigsbank dollar = 2*s*. 3*d*. English.

they consider it a question of principle, and are persuaded that, if they were now exceptionally to comply with the wishes of the Danish Government, the effect would be to retard indefinitely the settlement of the constitutional questions which are of so vital a moment to the interests of the Duchy.

It is in the power of the Danish Government at once to remove the objections made by the States, by recognizing and acting upon the Federal Resolution of March 8, 1860, whereby it is declared that until the Constitution of the Monarchy shall be definitively settled, the power of voting money and assenting to laws shall belong to the Holstein States as much as to the Legislature of the other parts of the Monarchy. In so doing, that Government would be acting in accordance not only with the duty which it owes to the Germanic Confederation, but with the recommendation conveyed to it in this respect by your Lordship's despatch addressed to Copenhagen on September 24, 1862; for in that despatch the opinion of Her Majesty's Government is clearly indicated, that the States of Holstein are entitled to the control of their own finances and legislation, and that the Resolutions of the Federal Diet in that matter ought to be implicitly obeyed.

The Danish Government having refused to receive the address to the Crown, of which I had the honour to inclose a copy in my despatch of the 19th ultimo, a resolution was moved in the sitting of the 2nd instant, by Adolphus Baron de Blome, to the effect that the Assembly should communicate to the Federal Diet all documents relating to the political position of the States in regard to the Government, and should request the Diet to take the requisite steps to protect and secure the interests of the Duchy of Holstein. This course had been taken by the States on former occasions, and Baron de Blome's motion was favourably received, and referred to a Committee to report upon. Its eventual adoption by the Assembly may, I understand, be considered as certain.

I have, &c.
(Signed) J. WARD.

No. 17.

*Earl Russell to Mr. Jerningham.**

Sir, *Foreign Office, March* 11, 1863.

I TRANSMIT to you herewith a copy of a despatch from the Swedish Minister for Foreign Affairs to Count Wachtmeister,† which has been communicated to me by the latter, on the subject of the recent proposals made by Denmark to the Holstein States, which the Swedish Government are anxious that Her Majesty's Government should support.

I informed Count Wachtmeister that Her Majesty's Government would not interfere in the matter.

I am, &c.
(Signed) RUSSELL.

No. 18.

Mr. Lytton to Earl Russell.—(Received March 16.)

(Extract.) *Copenhagen, March* 11, 1863.

ALTHOUGH I presume that a translation of the communication recently addressed by the Estates of Holstein to the Diet of the Germanic Confederation will already have reached your Lordship from Consul-General Ward, yet, as this document seems likely to lead to political consequences of no ordinary importance in the complicated relations between Denmark and the Federal Power, I have deemed it advisable, for the sake of more convenient reference, to accompany the present despatch by a full and very able translation of its contents, for which I am indebted to the zeal and kindness of Mr. Vice-Consul Rainals.

In this memorial the Assembly at Itzehoe, on behalf of the Duchy of Holstein, complains that the Federal Resolution of March 8, 1860, has been disregarded by the Danish Government. That Resolution, as your Lordship is aware, exacted that during the Provisorium the proclamation of January 28, 1852, should form the exclusive basis for the distribution of

* A similar despatch was addressed to Mr. Lytton. † No. 12.

public affairs into local and common, and that no law, financial or other, concerning common affairs, should be enacted for the Duchies of Holstein and Lauenburg without the consent of their respective representative assemblies.

This stipulation has always been contested by the Danish Government, and consequently, the statement which embodies the second ground of complaint set forth in the memorial, namely, that the Royal Ordinance of January 28, 1852, remained unrealized, follows as a natural corollary from the previous assertion.

The memorial then passes to an explanation of the reasons which, in view of their present unsatisfactory relations with the Government, have induced the Estates of Holstein to refuse to entertain the consideration of those projects of law which have lately been submitted to them: and, after alluding to the refusal of the Royal Commissioner to present to the King their last memorial, as justifying the present appeal to the forum of the Confederation, the address concludes by requesting the Federal Diet to adopt suitable measures for the maintenance of the rights and interests of the Duchy, in other words, to institute a Federal Execution against the King-Duke.

In that portion of the inclosed document which details the reasons given by the Holstein States for their refusal to discuss the projects of laws for common affairs submitted to them by the Danish Government, is, I think, to be found the knot in which, practically speaking, the whole of the present complications are concentrated.

The Danish Government in submitting, under protest, the common affairs of the Monarchy to a deliberative vote of the Duchy, affirms that, if on these affairs the vote of the Assembly should not coincide with that of the Rigsraad, then, with regard to every law on which the desired coincidence cannot be obtained, administrative separation will become a logical, as well as a practical, necessity. Were it not so the Duchy of Holstein would be able, by a vote of its Assembly, to paralyse the political and administrative organism of the whole Monarchy, and the Government convincingly point to the obvious absurdity of making, for instance, the entire credits necessary for the armament of the State dependent on the consent of that Assembly which is at this very moment invoking the armed intervention of Germany.

But, on the other hand, the Assembly replies, with equal justice, that to offer it a free deliberative vote upon common affairs, but, at the same time, to declare the precise nature and result of that vote under a menace that any other vote than such as is desired and anticipated by the Government, will render the Assembly responsible for that administrative and legislative separation from the rest of the Monarchy against which the Duchy has always protested, of which the Government itself disavows the intention, and from which it is morally precluded by its obligations to the German Powers, is, in point of fact, a mockery and an evasion.

It would appear, I confess, that the logic of both parties is, from the point of view respectively assumed by each of them, unanswerable; and the result is a complete political dead-lock, such as has been fully anticipated and clearly pointed out by your Lordship.

It cannot, I think, be otherwise than a matter for unmitigated regret to all who are sincerely interested in maintaining the dignity and independence of the Danish Monarchy, that the present Cabinet of Copenhagen should have so pertinaciously resisted every friendly suggestion for the peaceful termination of a state of things of which the continuance is not less undignified than dangerous. For, surely, no solution of existing difficulties could be more unfavourable to the permanent interests of the Danish Crown than that confused and restless series of makeshifts which are satisfactory neither to the Government nor to the governed, and in which all dignity must at last be dissipated, and all confidence unsettled, by a nominal admission of doubtful rights, which are secretly resisted, and cannot be practically accorded.

I cannot, however, entirely resist, nor disguise my general impression, that the apparent languor with which the Danish Government continues to follow, with only fretful protest or grudging submission, that stream of events which seems now to be hurrying this country into open conflict with the Federal Power, is in a great measure caused by the conviction that Denmark is a geographical necessity in Western Europe; and that, in the event of renewed hostilities with Germany, England or France, or both those powers together, will be compelled to defend in arms the integrity of the Monarchy.

However well founded may be this conviction, the effect of it upon the minds of the Danish Ministry is, I think, to be regretted. For, I fear that it is a secret and permanent operant against any practical and comprehensive settlement of disputed questions, and that it perhaps induces those who entertain it to consider too lightly the probability that, in the event to which they look forward, the grievous inconveniences of a Federal Execution, followed by open war, would have to be long and severely experienced before any friendly Power, however well disposed, could come into the field; that, moreover, all treaties of peace represent only a compromise between conflicting interests, involving mutual concessions, and

that those concessions by which war is terminated are rarely preferable to those by which war can be prevented.

Another probable cause for the apparent disposition of the Danish Government to entrench itself, at this moment, behind a policy of inactive resistance, is, I have little doubt, the disturbed state of the Federal Constitution, the probability of its disruption, and the wide divergence of opinion which is known to exist between the two Great Powers of Germany with regard to any reconstruction of that body.

But again, Danish statesmen do not, perhaps, adequately consider the fact that, even if the Federal Instrument were dissolved to-morrow, Germany would not on that account be less united than at present in its sympathies with the claims and aspirations of the Danish Duchies, nor less possessed of those material resources from which public sympathy derives practical power.

Thus, angry and infructuose disputes upon debated claims and obligations are protracted in a spirit far more argumentative than practical; and it may be that what is most calculated to ensure in Denmark the rejection of any comprehensive and conciliatory scheme for the speedy and pacific settlement of these disputes, is perhaps the very fact that the result of such a scheme would be both speedy and pacific.

In summing up this sketch of the sentiments which, on the part of the Government and their supporters, appear to underlie the present position of affairs in Denmark, I may revert to the fact that in your Lordship's despatch to Mr. Paget of November 20, 1862, four courses were reviewed as open to the Danish Government; of these, the first was thus described: "To allow the present state of uneasiness and danger to continue till it ends in some violent explosion;" and the last was stated to be the adoption of the plan proposed by your Lordship.

The Danish Government, by rejecting the last without precisely adopting any of the others, appears to be tending more and more in the direction of the first, which (as was recorded by Mr. Paget in his despatch to your Lordship of November 25, in the same year) was characterized by M. Hall at the time as "the easiest to follow, although the danger of doing so would be too great."

There can be little doubt that a few timely and reasonable concessions to Schleswig would have enabled the Government to deal with Holstein under simpler and more satisfactory conditions, by inducing both that Duchy and the German Powers to await with increased confidence and patience the settlement of remaining difficulties. But the last act of the Holstein States appears to place the whole question on a new and more painful footing, by leaving the Government to decide the issues of it (still shackled by the Schleswig claims) with the Federal Power, rather than directly with its own subjects.

Inclosure in No. 18.

Memorial, dated March 7, 1863, presented by the Assembly of the States of Holstein to the Assembly of the Germanic Confederation.

(Translation.)

MAY it please the High Assembly of the Confederation:

At the twenty-second meeting of the present Session, a Member of the Holstein Assembly of States brought forward the following proposal:—

"The Assembly of States resolves to address a communication respecting the documents (projects of laws) laid before it, this Session, which indicate the position of the Assembly to the Royal Government; and to express the hope that the Confederation may succeed in adopting suitable measures to secure the rights and interests of the Duchy of Holstein."

The Assembly has elected a Committee of five of its Members to discuss this proposal. This Committee has since presented its report, and the question having passed the second and third reading in accordance with the rules of the House, the Assembly has, by a resolution passed on the 7th March, given its President directions "to communicate to the Germanic Confederation those documents (projects of laws, &c.) laid before it this Session which indicate the position of the Assembly to the Royal Danish Government; and to express the hope that the Germanic Confederation will be pleased to adopt suitable measures to protect the rights and interests of the Duchy of Holstein."

In conformity with this resolution, the present communication, signed by the temporary President and the Secretaries of the Assembly, has been approved by the Provincial Assembly of the Duchy of Holstein on the 7th day of March, and we have now the honour to transmit to the High Federal Assembly the following documents:—

1. The communication to the Holstein Provincial Assembly of States, dated Fredensborg, January 19, 1863, respecting the humble Memorials and Petitions approved by that Assembly in 1859 and 1861.

2. A rescript read by the Royal Commissary before the twelfth ordinary Assembly of the States of Holstein, at its second meeting, on the 26th of January, 1863.

3. A communication from the Royal Commissary, read at the fourth meeting of the Assembly, on the 28th January, containing a further explanation of the position which the Government of His Majesty the King have adopted with reference to the rights conceded to the Assembly of voting grants in matters concerning the common finances of the Monarchy.

4, 5, 6, 7. Four of the projects of laws on common affairs, respecting the supplementary sums to be added to the Normal Budget of February 28, 1856.

8. The Report of the Committee on the subject of the proposals of the Government of His Majesty the King, respecting the common affairs of the Monarchy.

9. The humble report on these proposals.

10. A proposal submitted by a Member of the Assembly of the States, at its fourth meeting, on the 25th of January, on the subject of a humble memorial to His Majesty the King.

11. The Report of the Committee on this proposal.

12. (*a.*) The memorial adopted by the Assembly at its sixteenth meeting, on the 18th of February. (*b.*) The letter to the Commissary which accompanied the memorial delivered to him.

13. The letter from the Commissary, dated February 20, wherein it is refused to receive the memorial.

14, 15, 16. The Royal Resolutions of April 27, October 4, October 29, 1861, as laid before the Rigsraad and the Holstein Assembly of States.

17. Patent of 12th November, 1862, respecting the establishment of a local Government for the Duchy of Holstein.

18. Ordinance for the Duchy of Holstein, dated November 27, 1862.

19. Ministerial communication of December 1, 1862, to the Holstein Government, respecting the issue of instructions for its Government, with a copy of these instructions.

20. Protocol-Extracts of the Resolutions of the Assembly of States of Holstein respecting the proposals submitted, on the question of the common affairs of the Monarchy, and concerning the Report to be prepared on the subject.

21. Protocol-Extracts of the Resolution in the matter of the communication to the Germanic Confederation.

By these documents the Germanic Confederation will perceive that the Government of His Majesty the King persist in refusing to comply with the Resolution which was taken by the Germanic Confederation, in order provisionally to protect the rights and interests of the Duchy of Holstein. With respect to the Federal Resolution of March 8, 1860, this is expressly stated in the passage II, 3, in the annexed communication (sub No. 1). It follows that in its humble Report of April 10, 1861, on the draft of a Constitution for the separate affairs of the Duchy of Holstein, the Assembly of States was obliged to presume, that the provisional position in common affairs of Holstein to the rest of the Monarchy, resolved upon by the Germanic Confederation on March 8, 1860, would be established. But with respect to such a supposition the Royal Government have declared, that they were without hope of seeing a speedy settlement of the separate affairs of the Duchy of Holstein, on the basis proposed by them. In consequence of this view of the question on the part of the Royal Government; in consequence, also, of the repeal of Sections 1, 6, of the Constitution for the Duchy of Holstein, and by the Royal Resolution of November 8, 1858 (of which the Confederation is cognizant), the Duchy of Holstein is not only without one of the most elementary requisites for a satisfactory Constitution for its separate affairs, as applicable to the Constitution of a Provincial State, but the equality of rights during the Provisorium, which was demanded by the Germanic Confederation for the Duchy of Holstein, in its position to the now existing Rigsraad for Denmark-Schleswig in the common affairs of the Monarchy, has not been granted.

It is true that in the Royal Rescript of January 19, 1863, transmitted sub 2, it is said that His Majesty the King, though he could not recognise the legality of the demands of the Germanic Confederation, set forth in its Resolution of March 8, 1860, nevertheless has been induced to comply with them in such way, that he has directed that a number of projects of laws on the common affairs of the Monarchy, also specially such as concern the finances, should be submitted to the Provisional Assembly of the States of Holstein, for resolution during its present session.

But these proposals have in reality been brought before the Assembly of the States in a way and manner which cannot be considered conformable with the aforesaid Federal Resolution. Because in these proposals the contents of the Royal Ordinance of January 28, 1852, is by no means taken as a guide for deciding which matters are to be considered as common

and which as separate affairs. On the contrary, as regards all common affairs a division, based on quota-proportion, has been made in such way that in accordance with the distinct declaration of the Royal Commissary, the union of common affairs will cease in all matters in which conformable resolutions, between the Assembly of States and the Rigsraad, cannot be arrived at. If the Assembly of States had agreed to the proposals, in the form submitted, it would have lent itself to establish a separation (disunion) of Holstein, and an incorporation of the Duchy of Schleswig with the Kingdom of Denmark. To this danger it would have been exposed, not only as regards the purely financial proposals, but also with respect to the project of law referring to shipping and customs' charges.

It is, moreover, specially communicated to the Assembly of States that the Royal Government do not recognise its legal title to pass resolutions on common affairs. The Assembly of States might therefore expect that no notice would be taken of its resolutions, under the pretence that it had acquired no legal title to pass them. Not even during the continuance of the Provisorium, as required by the Germanic Confederation, but only for this session, and during the current financial period, has an authority, very limited as already stated, been ceded to the Assembly, which authority has further been made doubtful by a special reference to duties by which the Royal Government are pledged towards those portions of the Monarchy which do not belong to the Germanic Confederation. The Royal Government would thus be at liberty to elude the resolutions of the Assembly of the States, partly on account of imaginary duties of this kind, and partly by supplying, in a succeeding financial year, from the means at their actual disposal, the funds which had been refused during the current period Further, it must be observed that not even all the projects of laws presented to the Rigsraad have been laid before the States of the Duchy of Holstein, and laws on common affairs, more specially in financial matters, have been issued for the Duchy of Holstein without the consent of the States, and even without it having been considered necessary to ask for such consent at a later period.

To these belong, independent of less important laws, the drafts of accounts of the public revenue and expenditure for the last financial period. These are finally settled by resolutions of the Rigsraad for Denmark-Schleswig; as regards Holstein, the accounts of public revenues and expenditure are withdrawn from all control. To these belong, further, the levy of men for the army and navy. For Denmark and Schleswig a law approved by the Rigsraad is requisite for each levy; as regards Holstein the King decides such levy at his pleasure.

To these belong further the three Royal Resolutions of April 27, October 4, October 29, 1861, herewith transmitted, sub 14, 15, 16. In accordance with these a total sum 2,594,000 rix-dollars has been taken from the common exchequer of the Monarchy, namely from the common reserve fund, principally for purposes connected with military equipments, "on account of the existing political difficulties, and especially by reason of the differences between the Royal Government and the Germanic Confederation." These Royal Resolutions, with detailed reasons (motives), have been laid before the Rigsraad, in conformity with paragraph 54 of the Law of October 2, 1855, and that body has approved of the expenses incurred. These Royal Resolutions, which cannot, either in accordance with the Federal Resolution of March 8, 1860, or by the Royal Declaration of July 29, 1861, be considered valid in law for the Duchy of Holstein, have only been communicated to the Assembly of the States of Holstein for their information. The same remark is applicable to other sums, amounting to 2,379,000 rix-dollars, voted by the Rigsraad but not by the Assembly of States, and taken from the common exchequer of the Monarchy, subsequent to the issue of the Federal Resolution of March 8, 1860.

In this position of affairs the Assembly of States could not omit, previously to adopting further resolutions respecting the proposals on common affairs, in accordance with the suggestion of its committee, humbly to pray:

1. That His Majesty the King will cause to be laid before the Assembly, during its present session, a draft of a law in conformity with the Federal Resolution of March 8, 1860, respecting the provisional state of Holstein, with reference to the common affairs of the Danish Monarchy, until a definitive regulation of the constitutional relations of the Monarchy has been effected.

2. That His Majesty the King, in the event of His Majesty finding it impossible to accede to the humble prayer (sub 1), will be graciously pleased, already during the present session, to promise the Assembly, that with reference to the legislation concerning customs and shipping charges, and especially respecting the territory where they are at present in force, no alteration shall take place until after a definitive settlement of the constitutional relations of the Monarchy, without the sanction of the States of the Duchy of Holstein.

To present the second prayer the Assembly was specially induced in consideration of the fact that mutual agreements in the legislation respecting customs and shipping charges have

long been felt necessary, and it has thought it a duty, to the best of its ability, to assist in remedying the evil.

To judge by the declarations made by the Royal Government, at the opening of this Session of the Assembly, and by the expressions later used by the Royal Commissary, in the course of the negotiations, there is no prospect that the Royal Government will accede to either of these prayers.

The very painful position in which the Duchy of Holstein is placed by the policy now adopted during a series of years by the Royal Government, the great injuries, more especially the financial losses, which have been the consequence of this policy, the imminent dangers evidently threatening the country, and the whole Monarchy, by a continuation of this policy, caused the Assembly to desire once more to appeal to the heart of its Sovereign, in order, in a most humble address, to give expression to its just anxiety, and to pray for a return to a system which would secure peace and welfare to the Monarchy. The policy here referred to is well known to the Federal Diet; it is known by the fact that its followers, who now during eight years have been in power in Denmark, and in the Duchies, obstinately refuse to fulfil the engagements entered into by the Royal Danish Government in 1851–52, whereby the interests and rights of the German nationality in the Danish Monarchy, as well as the equality of rights and independence of the Duchies in their position to the Kingdom, would have been secured; indeed, they actually deny that such engagements have in any way been entered into, whereas they endeavour to secure to the Kingdom of Denmark, and to the Danish nationality, an absolute preponderance in all respects.

In order to serve this policy, a mediating authority, under the name of the Holstein Government, has, by Patent of November 12, 1862, been established (Annex 17), in direct opposition to Section 2 of the Holstein Constitution of June 11, 1854, as well as without the sanction of the Holstein Assembly. According to notice of November 27, 1862 (Annex 18), from the Ministry for Holstein and Lauenburg, and in conformity with instructions given to the Holstein Government (Annex 19, Section 4), all courts of law of the Duchy are made subordinate to this Government. This is at variance with existing laws, more particularly with the orders of the High Court of Appeal, dated May 15, 1834, Section 15; the instructions and rules of the Provincial Jurisdiction Courts, immediately subordinate to the High Court of Appeal, dated May 15, 1834, and the ordinance concerning the establishment of a High Court of Appeal, and a common Provincial Government for the Duchies of Schleswig and Holstein, dated May 15, 1834, Section 4. Nor has notice been taken in these instructions of other existing laws—for instance, of the general law of February 11, 1854, in accordance with paragraph 3, of which all complaints, in matters connected with the administrative affairs of towns, are to be forwarded direct to the Ministry; the stipulations of the local statutes, which are in conformity with the said law, have in a like manner been ignored. Finally, such a state of affairs has been brought about by these instructions, especially by paragraphs 1, 2, and 12, that it has become possible for a man who is a stranger in the country, and unacquainted with its institutions, to continue to act as Minister for Holstein, and—setting aside the rights and special interests of the Duchy of Holstein, to lead from Copenhagen the policy of the Royal Danish Government, in the manner hitherto adopted, and to make the Duchy of Holstein serviceable for the accomplishment of this policy.

A Memorial to His Majesty the King, in the most humble form (Annex 12A), in which the Assembly has represented its grievances, has been returned by the Royal Commissary (Annex 13). The only means which still remained open to appeal to the heart and feelings of the Sovereign of the country the Assembly has thus been deprived of. That the Royal Government were not justified in considering the Assembly unauthorized to appeal to His Majesty on all subjects referred to in the Memorial, is apparent from the fact, that the Assembly of States is at present the only representative body of the Duchy of Holstein, and, further, because the Royal Government, by their proposals during the present Session, with respect to the common affairs of the Monarchy, have conceded to it the right to make these common affairs subject to discussion in the Assembly.

We have the honour to communicate the above facts to the High Federal Diet, and we annex the documents referred to. The Provincial Assembly of the States of the Duchy of Holstein entertain the hope that it will please the High Federal Diet to adopt suitable measures in order to protect and secure the rights and interests of the Duchy of Holstein.

No. 19.

Sir H. Howard to Earl Russell.—(*Received March* 23.)

My Lord, *Hanover, March* 20, 1863.

COUNT PLATEN is of opinion that if the Diet should be disposed to take any conciliatory step in the Schleswig-Holstein question, before proceeding to a Federal Execution in order to carry out the Resolutions of the Confederation of March 1860, such a step might consist in a recommendation to the Danish Government to adopt your Lordship's proposals of September last as a basis of negotiation, without, however, implying an abandonment on the part of the Diet of the position it has assumed on the basis of the engagements of 1851 and 1852, in case of the rejection of this advice. His Excellency doubts, however, that anything short of a serious threat of an Execution would be likely to bring Denmark to terms. He believes that, in the event of such an Execution being set on foot, a change of Ministry would take place, and that the new Government would offer to treat, in which case he continues to be of the opinion, which he expressed to me three years ago, that a Congress would afford the best means of settling the question, the international character of the Schleswig-Holstein question furnishing a ground for the intervention of the non-German Great Powers.

I have, &c.

(Signed) H. F. HOWARD.

No. 20.

Mr. Ward to Earl Russell.—(*Received March* 30.)

My Lord, *Hamburgh, March* 25, 1863.

THE twelfth session of the Assembly of the States of Holstein was closed at Itzehoe on the 21st instant, and the members have returned to their respective homes.

The President delivered a concluding speech to the Assembly, recapitulating the course of the proceedings, and dwelling upon the continued grievances of the Duchy and the reasons why it had been impossible for the Assembly to concur with the propositions of the Government relative to the finances and other common affairs of the Monarchy. The blame, he said, rested solely with the Government in not having obeyed the Resolutions of the Germanic Diet in this respect.

The Royal Commissioner also addressed the Assembly, regretting its non-compliance with the wishes of the Government, and particularly that the Assembly had resolved to make a communication to the Germanic Diet, without waiting for the King's answer to the objections made by the States to the royal propositions.

The Assembly separated with three loyal cheers for the King-Duke.

The result of the Session is, that some local business of no general interest has been despatched in it, but that the political relations of the Duchy to the Danish Government remain exactly what they were before the Assembly met. The only project of law touching the common affairs of the Monarchy to which the States have given their assent, is that for the payment to Hanover of the redemption-money due for the Stade Tolls.

I have the honour to lay before your Lordship herewith, in translation,* a copy of the communication which the Assembly, in its sitting of the 7th instant, resolved to make, through its President to the Germanic Federal Diet, explaining the actual position of the Duchy in regard to the Danish Government, and soliciting the protection of the Federal Diet, in order that the rights of the Duchy may be secured to it.

I have, &c.

(Signed) J. WARD.

No. 21.

Sir A. Paget to Earl Russell.—(*Received April* 6.)

My Lord, *Copenhagen, April* 2, 1863.

I HAVE the honour to transmit a translation by Mr. Rainals of a Decree relative to the future position of the Duchy of Holstein which was signed by His Majesty at a Council held at Fredensborg on Monday the 30th ultimo. The Annexes will be forwarded as soon as the translation can be completed.

Your Lordship will not fail to observe the very important features of this resolution. It

* See Inclosure in No. 18.

separates the Holstein contingent from the rest of the Danish army, and gives to the Holstein States a deliberative vote over measures relating to the common affairs of the Monarchy in their application to Holstein, as well as over the contribution of Holstein to the common expenses of the Monarchy which may be required over and above the Normal Budget, the amount of which is stated in the Decree.

I have, &c.
(Signed) A. PAGET.

P.S. The translation of the Annexes mentioned above having just reached me, I transmit them herewith to your Lordship. A. P

Inclosure 1 in No. 21.

Royal Decree, March 30, 1863.

(Translation.)

WE, Frederick VII, &c., &c., hereby make known. When in our gracious Patent of January 28, 1852, we expressed the intention, by a common Constitution, to unite the different portions of our Monarchy in a well-regulated whole, we were fully aware, as proved by the negotiations which preceded, that such a common Constitution would only be practicable on condition that our sovereignty in both our German Duchies should not be more confined or limited than by the already existing, and by us approved, Federal laws, and that the population of these Duchies would sincerely attach itself to the new administration of the State.

This expectation has not been fulfilled. The German Federal Assembly has interfered in the home constitutional affairs of our Monarchy, and has made demands which are neither justified by the Federal law, nor compatible with the independence of our Crown, or the rights of those of our possessions which do not belong to the German Confederation; and the Holstein Provincial States have not only declined every proposal towards an arrangement, but in principle declared themselves adverse to any common Constitution based upon a common representation.

Such a state of discord, which through a decennial has checked the development of our country, must not continue. After the unsatisfactory results of the last meeting of the Holstein Assembly of States, We must consider it our duty as King to adopt measures with regard to the constitutional position of the Duchy of Holstein in the Monarchy, which shall, as far as possible, satisfy the demands of the German Confederation. For doing so we have confined ourselves to matters absolutely necessary, in order to reserve to the free co-operation of our people and their constitutional representatives further improvement thereon and final regulations thereof.

We have therefore graciously decided and hereby command as follows:

Article 1. Of the soldiers called out in the Duchies of Holstein and Lauenburg, with the exception of those destined for our body-guard, an independent division of our army shall be established under the orders of our Minister for War. This corps shall be supplied with all "materiel" for complete equipment, and shall, with due regard to the military law of the German Confederation, furnish our Federal contingent. All expenses connected with the Holstein division of the army shall be defrayed from the separate finances of the Duchy of Holstein, which shall for such purpose receive a contribution from the revenue of the Duchy of Lauenburg.

Art. 2. The Duchy of Holstein shall also in future take part in those common expenses of the Monarchy which, under the heads 1–6 and 6–11, are entered in the provisional Normal Budget of February 28, 1856, for a financial period of two years, namely—

	Rix-dollars.
1. Our Civil List	1,600,000
2. Appanage of the Royal Family	706,600
3. Privy Council	106,600
4. Interest on and Reduction of the common State Debt	12,290,000
5. Pensions	2,833,000
6. Ministry for Foreign Affairs	422,490
8. The Navy Department (inclusive of two sums entered within the lines of the Normal Budget, amounting to 113,873⅓ rix-dollars, which belong to a fund later received)	3,037,578⅓
9–10. The Ministry of Finance and the Ministry for the common Home Affairs of the Monarchy later united with it	821,818
11. Various expenses	266,000

Whereas the sum of 6,394,097 rix-dollars, entered as the 7th item under the head of the Ministry of War, shall be reduced for the biennium to 770,000 rix-dollars, namely, for the head administration of the army, for our two body-guards, and for the central educational institutions which remain common.

That which is saved in one financial period in one of these items must not be used to cover the additional expense of another. The sums required in addition to the items named in the Normal Budget shall, as regards Holstein, be voted by the Holstein States.

The common expenses shall be defrayed from the common revenues. Of the surplus the portion which, according to comparative numerical strength of the population of Holstein, is to be credited the separate finances of this Duchy will be 21·31 per cent. If the expenses should exceed the revenues the separate finances of Holstein will have to share in the same proportion in covering the underbalance.

Art. 3. If the expenses of the local administration of the Domains and Woods and Forests, as well as of the customs and telegraphs in Holstein cannot be defrayed from the sums named for each of these items in the Normal Budget, then the proposals for the requisite additional funds shall be laid before the Holstein States to be voted on by them. These expenses must, in advance, be defrayed from the corresponding revenues, in such manner that only the surplus of the latter is added to the common revenues.

Art. 4. The administration of the separate finances of the Duchy of Holstein shall be transferred to our ministry for the Duchy of Holstein and Lauenburg.

Art. 5. The legislative power in all common affairs, as far as regards our Duchy of Holstein, shall be exercised by us in common with the Holstein States. When such a law shall be issued by us for Holstein with the consent of the States, while a similar law cannot be, simultaneously, issued for the other portions of the Monarchy, then such measures shall be adopted as may be a necessary consequence thereof, provided the law concerns matters in which a different legislation is incompatible with the maintenance of the hitherto existing fellowship ("Falledskab") or union.

Art. 6. The provision made in Article 5 comes into operation immediately; the others only after the close of the financial year, on the 1st of April, 1864.

The detailed instructions regarding the position of the Duchy of Holstein, and of its representation to the common affairs of the Monarchy shall be laid before the Assembly of States for resolution thereon.

In the Draft of the law, which will have to be prepared, not only will the wishes expressed with respect to greater religious and civil liberty, but the necessary regulations will also be inserted with regard to extension of the right of voting, and of being elected, as also with respect to a resolving co-operation of the representation of Holstein concerning the separate finances of Holstein.

Done at our Palace of Fredensborg the 30th March, 1863, under our Royal sign-manual and arms.

(Signed) FREDERICK R.
(*Arms.*)

(Countersigned) C. HALL.

Inclosure 2 in No. 21.

Rescript addressed to the Minister for the Duchies of Holstein and Lauenburg, dated March 30, 1863.

(Translation,)

FREDERICK VII, &c., thee greeting. Having by our Royal Ordinance of this day's date made known Our will, that a Draft of a Constitution respecting the position of the Duchy of Holstein to the common affairs of the Monarchy, shall be laid before the States for resolution, We hereby command you to prepare the Draft of the constitutional regulations required to carry out this intention, to be based upon the resolutions in our before-mentioned royal ordinance.

In so doing you will have closely to examine the ordinance of June 11, 1854, with respect to the Constitution of the Duchy of Holstein, and the regulations respecting the formation of the Assembly of States must specially be subjected to a reform corresponding with the times, and, as far as the separate affairs of Holstein are concerned, a resolving co-operation is to be granted to it (the Assembly). In this revision of the Constitution the

necessary regard shall, in a like manner, be paid to the question of liberty of the press, right of petitioning, of forming unions, and of holding public meetings.

With respect to the change in the administration of the separate finances of the Duchy of Holstein, to take place on the 1st of April, it is finally Our royal pleasure that the necessary consultations with our Minister of Finance and other preparations shall take place in good time, when it will be specially necessary to examine to what extent this portion of the Administration can be transferred to the Holstein Government.

Inclosure 3 in No. 21.

Rescript addressed to the Minister of War, dated March 30, 1863.

(Translation.)

FREDERICK VII, thee greeting. As We have resolved, by our gracious Ordinance of this day's date, to form, from the body of men recruited in our Duchies of Holstein and Lauenburg, a separate army division, you are directed to prepare and lay before us the regulations respecting the organisation, promotion, and pay necessary in consequence. This division of the army is to be organised and equipped in such a manner that it will be able at all times to perform the duties devolving upon it as a portion of our army, and besides be able to furnish our Federal contingent, in conformity with the rules in force respecting it (the contingent).

You will also have to prepare and submit to us, as early as possible, a complete plan of organisation, accompanied with regulations respecting promotion and pay for that division of the Army which is recruited in the Kingdom and in the Duchy of Schleswig.

As the management in chief of the army, of our body-guard, and of the central educational institutions continue to be common affairs, and as the expenses incurred on their behalf are to be defrayed from a sum entered in the Normal Budget, we likewise expect to receive your proposals respecting the regulations that henceforth will be requisite, both in administrative and financial matters, and in preparing them you will have to endeavour to arrange them in such manner that the different matters appertaining to the Holstein-Lauenburg division of the Army, when coming before the chief board of management, are presented under one head, in so far as it shall be possible, and that in the organisation of the central educational institution, the possibility is taken into consideration that, later, a separation may take place, by which each division of the Army would obtain its own educational institution.

As in preparing the new plans many financial questions will present themselves, you are directed, with respect to their preparation, to consult with our Minister of Finance, to whom we have given the necessary directions in this respect.

Inclosure 4 in No. 21.

Rescript addressed to the Minister of Finance, dated March 30, 1863.

(Translation.)

FREDERICK VII, &c., thee greeting. As the financial resolutions contained in our gracious Ordinance of this day's date will, at the expiration of the present financial period, cause important changes, not only in the form of the laws with respect to financial grants, but also in the administrative relations, it is our will that you immediately take under your consideration what steps it will be necessary to adopt in consequence, and that you lay before us the necessary proposals on the subject. Besides this, we command you, with respect to the division of our army into two parts, decided upon by us, to take under your special consideration all financial changes which are likely to result as a consequence thereof, and further, during the preparation of the proposals on the subject of the regulations necessary in consequence of this division, to consult with our Minister of War, to whom we have given the necessary orders in this respect.

No. 22.

Sir A. Paget to Earl Russell.—(*Received April* 6.)

My Lord, *Copenhagen, April* 2, 1863.

I HAVE the honour to inclose a translation of certain Resolutions passed at a meeting held at Copenhagen on the 28th of March.

It was resolved to send copies of these Resolutions into the country, and to cause meetings to be held for their adoption.

It was further resolved to present these Resolutions to the President of the Council.

I have, &c.

(Signed) A. PAGET.

Inclosure in No. 22.

Extract from the "Fadreland" of March 28, 1863.

(Traduction.)

MEETING DU CASIN; PROJET DE RESOLUTION.—"1. La prétention de la Diète Fédérale à une suprème décision dans tous les cas où les représentants du Holstein, pays Fédéral, sont en désaccord avec le Gouvernement ou avec les Représentants des territoires Danois, aussi que ses efforts pour exercer une influence Fédérale sur le Slesvig, qui appartient à la Couronne Danoise, rendent toute Constitution commune (Heelstadiste) inconciliable avec l'indépendance de la Couronne Danoise et avec l'autonomie du Royaume de Danemark (Danmark's rige [Royaume et Slesvig]).

"2. Le maintien intact de l'union Constitutionnelle du Royaume, proprement dit, avec le Slesvig, union obtenue après tant de difficultés, est un droit des pays Danois indépendants. La consolidation de cette communauté sur une base plus large et avec un développement plus complet est une condition de la sureté de la Couronne et du bien-être du peuple, tandis qu'une extension des attributions provinciales conduirait au morcellement du Royaume. L'organisation des rapports intérieurs du Royaume et du Slesvig est une affaire entre Sa Majesté le Roi et ses sujets, mais qui ne concerne point les Puissances étrangères.

"3. La conservation de l'autonomie du Royaume de Danemark et la liberté Constitutionnelle rendent necessaire aujourd'hui, sans tenir compte des sacrifices qui en résulteront, de faire prévaloir le principe que le Gouvernement a mis en avant dans une série d'explications, à savoir: que la communauté qui existe maintenant pour certaines affaires et pour l'administration entre les territoires Danois et le territoire Fédéral du Holstein doit cesser d'exister avec la suppression de la communauté Constitutionnelle. Les Etats du Holstein s'étaient refusés à prendre aucune résolution sur les lois d'intérêt général qui leur ont été soumises; il est indispensable, pour que la vie politique puisse se maintenir, que dans la prochaine réunion du Conseil suprême (Rigsraad) des démarches nettes et décisives soient faites pour mettre cette décision à exécution."

(Translation.)

MEETING OF THE CASINO; PROJECT OF RESOLUTION.—"1. The pretension of the Federal Diet to the right of supreme decision in all cases where the representatives of Holstein, a Federal country, do not agree with the Government or with the representatives of the Danish territory, as well as its attempts to exercise a Federal influence over Schleswig, which belongs to the Danish Crown, render a common Constitution completely irreconcileable with the independence of the Danish Crown and the autonomy of the Kingdom of Denmark (Danmark's rige) [Kingdom and Schleswig].

"2. The uninterrupted maintenance of the Constitutional Union of the Kingdom, properly so called, and Schleswig, obtained after so much difficulty, belongs as a right to the independent Danish States. The consolidation of this commonwealth on a broader

basis, and the more complete development of it, is a condition necessary to the safety of the Crown and the well-being of the people, whereas an extension of the privileges of the provinces, would conduce to the dismemberment of the Kingdom. The organisation of the internal relations of the Kingdom and Schleswig is the affair of His Majesty the King and his subjects, and in no way concerns foreign Powers.

"3. The preservation of the autonomy of the Kingdom of Denmark, and constitutional liberty, now render it necessary, without considering the sacrifices which will result from it, to enforce the principle which the Government has advanced in a series of explanations, namely, that the union which now exists in certain matters, and in the executive between the Danish territories and the Federal territory of Holstein, must cease to exist at the suppression of the constitutional union. The States of Holstein refused to come to any resolution on the laws of general interest which were submitted to them; it is indispensable to the maintenance of political existence that at the next assembly of the Supreme Council (Rigsraad) clear and decisive steps should be taken for putting this decision into execution.

No. 23.

Mr. Ward to Earl Russell.—(*Received April* 6.)

My Lord, *Hamburgh, April* 2, 1863.

I HAVE the honour to transmit inclosed copies in translation of three Royal Resolutions of the King of Denmark, dated respectively April 27th and October 4th and 29th, in the year 1861, directing certain sums of money to be taken from the Reserved Fund of the Monarchy; which Resolutions are considered by the States of Holstein to be illegal for want of their consent; and they are certainly inconsistent with the Resolution of the Federal Diet passed March 8th, 1860.

In the inclosure with my despatch of the 25th ultimo, these Resolutions of the King are supposed to have been included among the papers laid before Parliament during this Session, but, having since ascertained that they were not so included, I have thought it best to send them home separately for your Lordship's information.

I have, &c.

(Signed) J. WARD.

Inclosure 1 in No. 24.

Resolution in pursuance of Section 54 *of the Constitution for Common Affairs of October* 2, 1855.

(Translation.)

FREDERICK VII, by the grace of God, King of Denmark, &c., &c.

Whereas the actual political circumstances, and especially the differences existing between us and the Germanic Confederation, make it indispensably necessary, to a greater extent than hitherto, to make such preparations in regard to the land and sea forces, that the defensive powers of the country may be adequately developed when required; and whereas we do not see fit, at this moment, to summon our Council of State (Reichsrath) to an Extraordinary Assembly; we have therefore resolved, after the consideration of these matters in a Conference of our Ministers, and their Report made to us in our Privy Council, to exercise the right vested in us by the Constitution of October 2nd, 1855, Section 54, in urgent circumstances, when the Council of State is not sitting, of ordering expenditure which has not been voted; and we therefore order and command as follows:—

Section 1. As extraordinary additions to the sums voted for the Ministries of War and of Marine by the preliminary Normal Budget of February 28, 1856, and the law granting an addition for the Financial Period 1860-62, shall in the present financial year 1861-62, in consideration of the preparations for war, be applied the undermentioned sums, viz.:—

a. FOR THE MINISTRY OF WAR.

		Rix-Dollars.*
A. *b.* 3.	Reserve Officers	48,000
A. *c.*	Discharges with rations for under-classes	6,600
A. *d.*	Different anticipated expenses	800
A. *e.*	Different extraordinary additions	1,500
B. *a.* 1.	Bread	1,500
B. *a.* 2.	Forage	11,000
B. *b.* 2.	Barrack expenses	600
B. *c.*	Care of the sick	36,000
E. *a.*	Cavalry	348,000
E. *c.*	Ammunition of the army	250,000
E. *d.* 3.	New buildings	650,000
	Total	1,354,000

b. FOR THE MINISTRY OF MARINE.

B. *b.*	Materials and labour besides the men regularly engaged	262,000
B. *g.*	Medicines and hospital	8,000
D. *f.*	Armaments	240,000
D. *g.*	Session expenses	33,000
	Total	543,000

Sect. 2. The Finance Ministry is authorised, of the expenses mentioned in Section 1, amounting together to 1,897,000 rix-dollars, to cover a sum of 1,700,000 rix-dollars, with the aid of the Reserve Fund of the Monarchy.

Given at Copenhagen the 27th of April, 1861, under our Royal hand and seal.

(Signed) FREDERICK R.

(Countersigned) C. HALL.
STEEN-BILLE.
THESTRUP.
WOLFHAGEN.
D. G. MONRAD.
CASSE.
FENGER.

Inclosure 2 in No. 23.

Royal Resolution, &c., of October 4, 1861.

FREDERICK VII, by the grace of God, King of Denmark, &c., &c.

Whereas we deem it necessary to secure to the army, by an addition to the sums already voted for forming Reserve Officers, the adequate number of Commanders in the Infantry, in the event of circumstances requiring that the battalions should be doubled;

And whereas considerations affecting the interests of the Danish commerce and navigation in general, as well as the maintenance of order in the waters of our West India Colonies, in the present political circumstances of North and South America, require the continuance of the screw sloop of war "Heimdal," in the West Indian waters, in which she has been already stationed;

And whereas, in order to the equipment of the Castle of Fredensborg in a proper way by the time when we intend to take up our residence there, it requires an additional supply of furniture in many directions;

And whereas, we do not see fit, at this moment, to summon our Council of State (Reichsrath);

We have therefore resolved, after a consideration of these matters in a Conference of our Ministers, and their Report made to us in our Privy Council, to exercise the right vested in us by the Constitution of October 2, 1855 (Section 54), in urgent circumstances, when the Council of State is not sitting, of ordering expenditure which has not been voted, and we therefore order and command as follows:—

Section 1. As extraordinary additions to the sums voted for the Ministries of War and of Marine, and for the Royal Palaces, by the preliminary Normal Budget of February

* 1 Rix-Dollar equal to 2*s.* 3*d.* English.

28th, 1856, and the law granting an addition for the Financial Period 1860–62, shall, in the present Financial Year, 1861–62, be applied the undermentioned sums, viz. :—

a. FOR THE MINISTRY OF WAR.

	Rix-Dollars.*
A. *b.* 3. Reserve officers	22,000

b. FOR THE MINISTRY OF MARINE.

D. *f.* Armaments	45,000

c. FOR THE ROYAL PALACES.

Expenses for several castles and buildings in the Kingdom, belonging to the Monarchy..	30,000

Sect. 2. The Financial Ministry is authorised to cover the expenses mentioned in Section1, amounting to 97,000 rix-dollars, with the aid of the Reserve Fund of the Monarchy.

Given at our Castle of Christiansborg, the 4th of October, 1861, under our Royal hand and seal.

(L.S.) (Signed) FREDERICK R.

(Countersigned) C. HALL.
STEEN-BILLE.
THESTRUP.
WOLFHAGEN.
D. G. MONRAD.
CASSE.
FENGER.
ORLA-LEHMANN.

Inclosure 3 in No. 23.

Royal Resolution, &c., of October 29, 1861.

FREDERICK VII, by the grace of God, King of Denmark, &c., &c.

Forasmuch as we resolved on the 27th of April last, on account of political circumstances, and the differences with the Germanic Confederation, to exercise the right vested in us by the Constitution of October 2, 1854 (Section 54), under very pressing emergencies, if the Council of State is not assembled, to order expenditure which has not been voted, and thereby to enable the administrations of the army and navy to make such preparations of the land and sea forces that the defensive powers of the country may be adequately developed—so now also we deem it necessary, since political circumstances, and the abovementioned differences, still make it requisite to develop the defensive powers of the country in order to be able to meet unforeseen eventualities, and because in this respect the arrangements which are necessary cannot be postponed until the approaching meeting of the Council of State, after the consideration of these matters in a Conference of our Ministers and their Report made to us in our Privy Council, to exercise the right vested in us by the abovementioned enactment of the Constitution ; and we therefore order and command as follows :—

Section 1. As extraordinary additions to the sums voted for the Ministries of War and of Marine by the preliminary Normal Budget of February 28, 1856, and the law granting an addition for the financial period 1860–62, as also by our Royal Resolutions of April 27th and October 4th last, shall in the present financial year 1861–62, in consideration of the preparations for war, be further applied the undermentioned sums, viz. :—

* 1 Rix-Dollar equal to 2*s.* 3*d.* English.

a. FOR THE MINISTRY OF WAR.

	Rix-Dollars.*
A. *b.* 3. Reserve officers	11,000
E. *b.* 1. Cavalry expenses	38,000
E. *c.* Ammunition of the army	79,000
E. *d.* 3. New buildings	172,000
Total	300,000

b. FOR THE MINISTRY OF MARINE.

I. B. *b.* Materials and labour besides the men regularly engaged ..	300,000

Sect. 2. The Finance Ministry is authorised to cover the abovementioned expenses, amounting together to 600,000 rix-dollars, with the aid of the Reserve Fund of the Monarchy.

Given at our Castle of Christiansborg, the 29th of October, 1861, under our royal hand and seal.

(L.S.) (Signed) FREDERICK R.

(Countersigned) C. HALL.
STEEN-BILLE.
THESTRUP.
WOLFHAGEN.
D. G. MONRAD.
CASSE.
FENGER.
ORLA-LEHMANN.

No. 24.

M. Hall to M. de Bille.—(Communicated to Earl Russell by M. de Bille, April 9.)

Monsieur, *Copenhague, le 1 Avril*, 1863.

DANS la dépêche du 15 Octobre de l'année passée, le Gouvernement du Roi s'est déclaré prêt à accéder à la demande que la Diète Germanique avait formulée à l'égard du Holstein, quelque injuste qu'elle soit d'ailleurs sous le point de vue du droit. Mais en le faisant j'eus soin d'ajouter qu'une telle position éventuelle des Etats Holsteinois, d'après laquelle le budget commun et les lois communes, en tant qu'ils regardent le Duché, seraient votés par eux, devait être précisée de telle sorte que le reste de la Monarchie ne fût pas réduit à une dépendance continuelle de l'Allemagne, et que nous devions être assurés que par ce sacrifice nos rapports avec la Confédération se trouveraient rétablis sur une base durable. Les conditions que j'avais ainsi formulées furent parfaitement appréciées par Lord Russell, et il exprima dans sa réponse du 20 Novembre son assentiment et son approbation cordiale de ces principes.

J'ai déjà dans ma dépêche du 5 Janvier exprimé la satisfaction avec laquelle le Gouvernement du Roi avait reçu cette déclaration du Cabinet Britannique, et j'aime à la rappeler aujourd'hui après que nous avons procédé à l'acte que Lord Russell nous avait si vivement conseillé.

Avant-hier le Roi a signé l'Ordonnance que je joins sous ce pli en texte original et en traduction Française, et dont je vous prie de remettre le plus tôt possible un exemplaire à Lord Russell.

Sa Seigneurie verra par cet acte qu'après s'être décidé à faire la démarche qu'on nous avait si vivement suggérée, le Gouvernement du Roi l'a fait franchement et sans marchander. Désormais il reste fixé que toute loi relative aux affaires communes, pour être valable dans le Holstein, doit être votée par les Etats Holsteinois et aucune dépense ne pourra tomber à la charge du Holstein, en dehors des prévisions du budget normal

* 1 Rix-dollar equal to 2*s.* 3*d.* English.

existant, sans qu'elle soit approuvée par les Etats. Il y a plus. Pour mettre le Holstein à même de s'assurer qu'en réalité rien ne se fasse en matière de finances qui favorise le reste de la Monarchie aux dépens du Duché, l'administration de ses finances particulières qui, pour faciliter le service, était jusqu'ici réunie avec l'administration générale des finances de la Monarchie, passera au Ministère spécial du Holstein, et les Etats Holsteinois exerceront le droit de contrôle constitutionnel sur l'emploi de ces fonds. Enfin, le Roi a donné l'ordre qu'un projet de constitution sera élaboré le plus tôt possible pour être soumis à l'adoption des Etats, contenant les dispositions nécessaires pour l'exercice de cette nouvelle compétence et développant en même temps les institutions intérieures et politiques du Duché dans un sens libéral, notamment la législation électorale, le droit de la presse, la liberté religieuse et civile.

Je n'entrerai pas ici plus avant dans les détails de l'Ordonnance qui ayant pour objet de régler des rapports d'un caractère intérieur et compliqué, doit nécessairement contenir des points qui ne sont pas faciles à saisir à première vue et dont l'ensemble, pour être entièrement compris, a besoin d'être vu en action. Mais je vous ai mis à même, Monsieur, de donner tous les éclaircissements et explications que Lord Russell pourrait désirer sur les dispositions de cet acte, et je me repose entièrement de cette tâche sur votre zèle.

En accordant au Holstein et à ses Etats cette nouvelle position, le Gouvernement du Roi devait, comme je l'avais déjà dit, avoir soin que le reste de la Monarchie et sa représentation ne fût pas réduite à une dépendance injuste et pernicieuse. Ce but a été atteint de la manière suivante. De même qu'une loi approuvée par les Etats Holsteinois peut être promulguée uniquement pour le Holstein, sans que le Rigsraad puisse l'empêcher en refusant son consentement pour ce qui concerne le Danemark et le Slesvig, de même une loi votée par le Rigsraad mais rejetée par les Etats Holsteinois pourra être promulguée avec force de loi, mais uniquement pour le Danemark et le Slesvig. Dans le cas où une telle loi aurait trait à une affaire dans laquelle une diversité de législation ne serait pas compatible avec la conservation de l'ancienne communauté, cette communauté cesserait d'exister. Pour ce qui est des dépenses, le Rigsraad aura la faculté naturelle de voter pour les parties de la Monarchie qu'il représente une dépense à laquelle les Etats Holsteinois n'auront pas donné leur consentement pour la part contributive du Holstein, et cette dépense tombera donc à la charge exclusivement du Danemark et du Slesvig.

Par cet arrangement se trouve ainsi atteint le premier objet que le Gouvernement du Roi devait avoir en vue en procédant à cette concession faite à la Confédération pour le Holstein. Quant au second objet, le rétablissement des rapports amicals et durables avec l'Allemagne, l'accomplissement de ce vœu dépendra avant tout de la mesure dans laquelle Lord Russell exercera la grande influence du Gouvernement Britannique en ce sens. La manière dont Lord Russell a déjà antérieurement reconnu la justice des principes qui viennent de guider le Gouvernement du Roi dans cet acte, me donne la confiance que cet appui précieux ne nous fera pas défaut.

J'ai, &c.

(Signé) HALL.

(Translation.)

Sir, *Copenhagen, April* 1, 1863.

IN their despatch of the 15th of October last, the King's Government declared themselves ready to accede to the demand which the German Diet had put forward with regard to Holstein, however unjust it might be with regard to law. But, in so doing, I took care to add that such an eventual position of the Holstein States, according to which the common budget and common laws, so far as they regarded the Duchy, would be voted by them, must be so defined, that the rest of the Monarchy would not be reduced to a continual dependence on Germany, and that we must be assured that, by this sacrifice, our relations with the Confederation should be re-established on a durable basis. The conditions which I thus made, were perfectly appreciated by Lord Russell, and he expressed, in his answer of the 20th November, his assent and cordial approbation of these principles.

I have already in my despatch of January 5, expressed the satisfaction with which the King's Government received this declaration of the British Cabinet, and I recall it with pleasure, now that we have proceeded to the act which Lord Russell had so earnestly advised us to take.

The day before yesterday the King signed the Ordinance, of which I inclose herewith

a copy in original and French translation, and of which I beg you to transmit a copy as soon as possible to Lord Russell.

His Lordship will see by this document that, having decided on taking the step which had been so earnestly suggested to us, the King's Government has done it frankly and without reservation. From henceforth it is established that every law relative to common affairs, to be valid in Holstein, must be voted by the Holstein States, and that no expense can fall on Holstein, beyond the provisions of the existing normal Budget, unless it is approved by the States. Still further. In order to enable Holstein to assure itself that in reality nothing is done in regard to finance which favours the rest of the Monarchy at the expense of the Duchy, the administration of its special finances, which, in order to facilitate the accounts, had hitherto been united to the general administration of the finances of the Monarchy, will pass to the Special Ministry of Holstein, and the Holstein States will exercise the right of constitutional controul over the employment of these funds. Finally, the King has given orders that a project of Constitution shall be drawn up as soon as possible, to be submitted to the adoption of the States, containing the necessary provisions for the exercise of this new competence, and developing at the same time the internal and political institutions of this Duchy in a liberal sense, particularly the electoral law, the right of the press, and civil and religious liberty.

I will not enter any further here into the details of the Ordinance, which being designed to settle relations of an internal and complicated character must necessarily contain points which it is not easy to comprehend at first view, and the whole of which, to be entirely understood, must be seen in action. But I have put you in a position, Sir, to give all the information and explanation which Lord Russell may desire, as to the provisions of this document, and I entirely confide this task to your zeal.

Whilst granting to Holstein and its States this new position, the King's Government was bound, as I have already said, to take care that the rest of the Monarchy, and its representation should not be reduced to an unjust and pernicious dependence. This end has been attained in the following manner. In the same way that a law approved by the Holstein States may be promulgated for Holstein alone, without the Rigsraad having the power to prevent it by refusing its consent as far as regards Denmark and Sleswig, so also a law voted by the Rigsraad, but rejected by the Holstein States, may be promulgated with force of law, but only for Denmark and Sleswig. In case such a law should have reference to an affair in which a diversity of legislation would not be compatible with the preservation of the ancient union, this union would cease to exist. As regards expenditure, the Rigsraad will have the natural faculty of voting for the parts of the Monarchy which it represents, a disbursement to which the Holstein States may not have given their consent for the contributive share of Holstein, and this expense will then fall exclusively on Denmark and Sleswig.

Thus, by this arrangement, is attained the first object which the King's Government were bound to have in view, in proceeding to make their concession to the Confederation for Holstein. As to the second object, the re-establishment of friendly and durable relations with Germany, the accomplishment of this wish will depend above all on the measure in which Lord Russell will exercise the great influence of the British Government in that direction. The manner in which Lord Russell has already previously recognized the justice of the principles which have guided the King's Government in this act, inspires me with confidence that this precious support will not fail us.

I have, &c.
(Signed) HALL.

Inclosure 1 in No. 24.

Royal Ordonnance, dated March 30, 1863, *relative to the Constitutional Position of the Duchy of Holstein.**

NOUS Frédéric, Roi de Danemark, &c., &c., faisons savoir :
Lorsque dans notre Ordonnance du 28 Janvier, 1852, nous annonçâmes l'intention

* For Translation, see Inclosure 1 in No. 21.

de relier les différentes parties de notre Monarchie en un ensemble bien organisé par le moyen d'une constitution commune, nous avions pleine conscience, comme cela ressort aussi suffisamment des négociations précédentes, qu'une semblable constitution commune n'était possible qu'à cette condition que notre souveraineté dans nos deux Duchés Allemands ne subirait d'autres limites et restrictions que celles dérivant des lois fédérales existantes, et que la population de ces Duchés se rallierait sincèrement à la nouvelle organisation de l'Etat.

Ces conditions ne se sont point réalisées. L'Assemblée Fédérale Germanique s'est immiscée dans nos affaires constitutionnelles intérieures et a formulée des prétensions qui ne trouvent pas de fondement dans les lois Fédérales et ne sont pas non plus conciliables avec l'indépendance de notre Couronne et les droits de ceux de nos pays qui n'appartiennent pas à la Confédération ; et les Etats Provinciaux du Holstein ont non-seulement décliné toute proposition faite en vue d'arriver à un accord, mais ils se sont même, quant au principe, déclarés contre toute constitution commune qui serait fondée sur une représentation commune.

Cet état de dissensions intérieures, qui paralyse déjà depuis dix ans le développement de notre Monarchie, ne doit pas continuer. Après les résultats peu satisfaisants de la dernière session des Etats Holsteinois, nous devons donc considérer comme notre devoir de Souverain de prendre à l'égard de la position constitutionnelle du Holstein dans la Monarchie des décisions qui puissent répondre, autant que cela est possible, aux exigences de la Confédération Germanique. En quoi nous nous sommes borné au stricte nécessaire, afin de réserver le développement ultérieur et l'organisation définitive au libre concours de notre peuple et de ses représentants constitutionnels.

C'est pourquoi nous avons ordonné et ordonnons ce qui suit :—

Article 1. Le contingent de troupes levé dans les Duchés de Holstein et de Lauenbourg formera—à l'exception des hommes choisis pour nos gardes du corps—une partie séparée de notre armée placée toutefois sous la direction suprême de notre Ministre de la Guerre. Ce corps de troupes devra être pourvu de tout le matériel nécessaire à leur complète équipement et constituera notre contingent fédéral sous l'observation de la constitution militaire de la Confédération Germanique. Toutes dépenses pour le corps d'armée Holsteino-Lauenbourgeois seront défrayées par les finances particulières du Duché de Holstein, lesquelles recevront à cet effet un appoint des revenus du Duché de Lauenbourg.

Art. 2. Le Duché de Holstein continuera à participer aux dépenses communes de la Monarchie, qui dans le budget normal provisoire du 28 Février, 1856, se trouvent indiquées pour la période biennale sous les chapitres 1–6 et 8–11, savoir :

	Rixdalers.
1. Notre liste civile	1,600,000
2. Les apanages de la Maison Royale	706,600
3. Le Conseil d'Etat intime	106,600
4. Le service des intérets et de l'amortisation de la dette publique commune	12,290,000
5. Le service des pensions de retraite	2,833,400
6. Le Ministère des Affaires Etrangères	722,790
8. Le Ministère de la Marine: en y comprenant deux sommes montant à 113,873½ rixdalers qui dans le budget normal n'étaient pas placées en ligne de compte, et qui le sont aujourd'hui, le fonds qui avait été affecté au service de ces sommes ayant été plus tard supprimé : ..	3,037,578
9 and 10. Le Ministère des Finances, y compris l'ancien Ministère pour les Affaires Intérieures Communes de la Monarchie	821,818
11. Differentes dépenses	266,000

Par contre la somme biennale de 6,394,097 rixdalers portée au septième chapitre du budget normal: Ministère de la Guerre,—doit être réduite à 770,000 rixdalers affectés à l'administration supérieure de l'armée, à nos deux gardes du corps et aux établissements centraux d'enseignement, lesquels resteront communs.

Les sommes qui, dans un exercice financier seront épargnées à un de ces chapîtres, ne pourront pas être affectées à couvrir un excédent des dépenses dans un autre. Les crédits supplémentaires à ajouter aux allocations susmentionnées du budget normal seront pour la part du Holstein soumis à l'adoption des Etats Holsteinois.

Les dépenses communes seront défrayées moyennant les recettes communes. S'il y a un excédant de recettes, la part afférente du Holstein fixée suivant le chiffre de la population à 21·31 pour cent passera aux finances particulières de ce duché. Si les dépenses communes excédaient les recettes, les finances particulières du Holstein contribueraient dans la même proportion à couvrir le déficit.

Art. 3. Si les dépenses pour l'administration locale des domaines et forêts Holsteinois, ainsi que pour l'administration locale des douanes, postes et télgraphes du Holstein, ne peuvent pas être défrayées avec les sommes qui figurent sur le budget normal pour chacune de ces allocations, le projet du crédit supplémentaire serait soumis au vote des Etats holsteinois. Ces dépenses seront prélevées sur les recettes correspondantes, de sorte que le seul excédant passe aux recettes communes.

Art. 4. L'administration des finances particulières du Duché de Holstein passera à notre Ministère pour les Duchés de Holstein et de Lauenbourg.

Art. 5. Le pouvoir législatif dans toutes affaires communes nous l'exercerons pour ce qui concerne notre Duché de Holstein, avec le concours des Etats Holsteinois. Quand nous promulguerons une loi de cette nature avec l'assentiment des Etats Holsteinois, sans qu'une loi de la même teneur puisse en même temps être rendue dans les autres parties de la Monarchie, nous aviserons aux mesures devenues nécessaires par cette circonstance, dans le cas où la loi concernerait une affaire dans laquelle la diversité des législations est incompatible avec le maintien de la communauté jusqu'ici existante.

Art. 6. La disposition contenue dans l'Article 5. entrera immédiatement en vigueur, les autres seulement à partir du 1 Avril, 1864, à l'expiration de l'exercice financier actuel.

Les règles ultérieures concernant la position du Duché de Holstein et de sa représentation par rapport aux affaires communes de la Monarchie seront soumises à l'adoption constitutionnelle des Etats Holsteinois.

Dans le projet de loi qui sera élaboré à ce sujet il sera tenu compte non seulement des vœux qui se sont manifestés relativement à une plus grande liberté religieuse et civile, mais il y sera encore donné place aux dispositions nécessaires pour l'extension du droit d'élection et d'éligibilité, ainsi que pour le vote délibératif à accorder à la représentation Holsteinoise en ce qui regarde les finances particulières du Holstein.

No. 25.

Sir A. Malet to Earl Russell.—(Received April 13.)

(Extract.) *Frankfort, April 11, 1863.*

THE Edict of the King of Denmark for regulating the future relations of Holstein and Lauenburg with the Kingdom of Denmark excites much attention.

It is not yet easy to pronounce what is the precise way in which it is judged as concerns Holstein, but a cry is at once raised on behalf of Schleswig, and as to the manifest design of the Danish Government to incorporate that province contrary to formal engagements.

There is no doubt that the matter will in some shape or other come before the Diet.

I apprehend, however, that as Austria and Prussia have declared their mandate at an end, the Diet will wait for a complaint or representation from the Duchies before taking any action in the matter.

No. 26.

Sir A. Buchanan to Earl Russell.—(Received April 13.)

(Extract.) *Berlin, April 11, 1863.*

M. de BISMARCK said that he has had the arrangements proposed by Denmark carefully examined, and that many of them, and particularly those which have reference

to the Budget, and the domains are decidedly violations of the rights of Holstein, and will doubtless be protested against by the Federal Diet. The Prussian Government, however, he repeated, would not take the initiative in expressing an opinion as to what might be necessary or expedient under the new circumstances which have arisen; but he seemed to consider that Denmark should have declared or promised the entire autonomy of Schleswig, with respect to the domestic affairs of the Duchy, free from all the vexations which have been hitherto complained of, if she hoped that an arrangement could be effected on the basis of the *coup d'état*, to which, according to his Excellency's appreciation of the Proclamation, she has had recourse.

M. de Bismarck said he must be guided in this question by the opinions of Germany and of the Diet, where he believed very decided disapprobation would be expressed by Hanover and Bavaria of the Proclamation.

The Danish Minister has also spoken to me on this subject, and of a report which had reached his Government that Germany intends to renew a demand which was put forward some years ago, but afterwards tacitly abandoned, for the expenses of the Federal occupation of Holstein at the close of the war.

He did not wish me, however, to ask M. de Bismarck for any information as to the truth of this rumour, of which I had not heard.

With respect to the Proclamation, I told him that your Lordship had recommended to the Danish Government the only arrangement which appeared to Her Majesty's Government likely to conciliate the conflicting interests of Denmark and the Duchies, but I had no doubt you would be well pleased if the arrangement now proposed effected the object which it had in view.

I was however convinced, I said, that it had not the slightest chance of doing so, unless it was immediately followed by an offer of complete autonomy to Schleswig with respect to the domestic affairs of the Duchy, and the removal of all the grievances of which the German part of the population have hitherto had cause to complain.

I believe that the Swedish Minister has spoken in the same sense to M. de Quaade, and that he is himself convinced of the absolute necessity of his Government endeavouring so far to satisfy the wishes of Germany, and has urged them strongly to do so.

In the meanwhile, I inclose the copy of a memorandum, which has been communicated to me, of the objections which may be made to the arrangements proposed by the King's Proclamation; and your Lordship will perhaps consider them, if not insurmountable, at all events sufficiently numerous to preclude the hope of this tedious question being near a termination,

M. de Quaade acknowledges that the proposed arrangements are open to some of the objections made to them, but he says the Government have only modified those of 1852, in so far as they have found it necessary to do so to meet the late demands of the Federal Diet, and he does not believe that the Danish Government would allow any mere question of money to stand in the way of an arrangement.

Inclosure in No. 26.

Memorandum.

1. *Position of Holstein.—Observations on several points in which the Constitutional Rights of that country, which the German Confederation would have to take care of, seem infringed or neglected.*

1. The Normal Budget is fixed without the slightest co-operation of the Estates The King, by his own absolute power, changes the provisional budget of 1856—which was given provisionally with the distinct view to a fixation by law—into a definite one without even hearing the Estates.

2. Every control over the expenditure and distribution is witheld from Holstein. (In Lord Russell's proposals the normal Budget was to be voted for ten years, the distri-

bution or expenditure yearly, the latter by a mixed council; no such provision is made by the present Danish measures.)

3. The regular Budget of the Monarchy will be laid before the Reichsrath, not before the Holstein Estates. The inequality is glaring!

4. Additional expenses are to be laid before the Holstein Estates "for Holstein," that if they refuse, the Reichsrath may vote for Schleswig and Denmark their quota from the common income.

For instance, the Government asks 100,000 dollars. Holstein refuses 21 per cent; the Reichsrath accedes and votes 79 per cent. Are these 79,000 dollars to be taken from the common fund? But out of the common fund the Reichsrath has not a farthing to expend without consent of the co-partners, according to every principle of partnership.

5. The domains and forests of Holstein are treated as common property, and their surplus of revenue thrown into the common fund, contrary to the rights of the Duchy, which are asserted already in 1855, and formed one of the first griefs against the Common Constitution of that year.

6. No provision whatever is made for settling legally and constitutionally the limits between special affairs of the Duchy and common affairs of the Monarchy; this is left entirely to the arbitrary decision of the Government.

7. In Article 5, a provision is made for the case of the other parts of the Monarchy refusing a proposition of Government in common affairs, to which Holstein has acceded. The contrary case, which is more likely to take place, is not even contemplated.

Altogether, it is not easily to be conceived how a law concerning common affairs could be put in vigour for one part of the Monarchy only.

2. *Observations with reference to Schleswig.*

Lord Russell considered as the necessary complement of the autonomy of Holstein, the corresponding autonomy of Schleswig, which was not to be represented in the Rigsraad. On the contrary, the present Danish measures leave Schleswig in the Reichsrath, maintain the Common Constitution of 1855 (which Lord Russell expressly declares to have no force in Schleswig), and thus connect Schleswig with Denmark proper in one Common Constitution, which is contrary to the promises of 1852—promises which the English Government has repeatedly declared the King bound in honour to fulfil. The constitutional connexion between Schleswig and Denmark, to the exclusion of Holstein, is equivalent to an incorporation of Schleswig.

No. 27.

Sir H. Howard to Earl Russell.—(Received April 13.)

My Lord, *Hanover, April 11, 1863.*

I TOOK an opportunity a few days ago of inquiring Count Platen's opinion concerning the Proclamation of the King of Denmark of the 30th ultimo, regulating the future constitutional position of the Duchy of Holstein.

His Excellency replied that he must reserve his opinion on the subject until he should be acquainted with the measures to be submitted to the Danish Reichsrath; that if the Danish Government intended to give a similar position to Schleswig, and otherwise to carry out your Lordship's proposals, he would be satisfied; but that if, as he feared, such was not their intention, and the separate organization of Holstein was only to be the prelude to the incorporation of Schleswig with Denmark, he considered that, the Danish Government having set aside the stipulations of the engagements of the years 1851 and 1852, the German Diet would be justified in demanding the restoration in the Duchies of the state of things which existed before the war in 1848—a course which he would regret on account of the complications which might result from it.

His Excellency then repeated a remark which he had made to me on several previous occasions, namely, that such a total separation of Holstein from the remainder of the Monarchy, as appeared to be contemplated by the Danish Government, would be a most impolitic step, as it would probably lead, sooner or later, to the loss of that Duchy by Denmark.

I have, &c.

(Signed) HENRY F. HOWARD.

No. 28.

Mr. Ward to Earl Russell.—(*Received April* 13.)

My Lord, *Hamburg, April* 10, 1863.

THE affairs of Holstein have assumed a new phase in consequence of the Royal Proclamation lately published for the constitutional separation of the Duchy from the rest of the Monarchy.

The Royal Proclamation bears date March 30th, and appeared in the Official Gazette of the 1st instant, accompanied by three Royal Rescripts bearing the same date, and addressed to the Ministers of Finance, of War, and for Holstein and Lauenburg, respectively. I do not annex copies of these documents, as they will doubtless have already reached your Lordship from Her Majesty's Legation at Copenhagen.*

The Royal Proclamation, after reciting that a common Constitution for the several parts of the Monarchy, as contemplated by the Royal promises of the 28th of January, 1852, had become impossible, owing to the interference of the Germanic Confederation, and the continued opposition of the Holstein States, proceeds to declare and order:—

1st. That a separate army be formed for Holstein and Lauenburg to be subject to the military laws of the Germanic Confederation, and be charged upon the Finances of Holstein, with a contribution from Lauenburg. The Royal Body-Guard is excepted from this army.

2nd. That Holstein shall participate in certain common expenses of the Monarchy, according to the normal Budget of February 28th, 1856, viz., of the Civil List, Royal Appanages, Privy Council, Public Debt, Pensions, Diplomacy, Navy and the Finance Ministry; but that, in respect of the common army of the Monarchy, Holstein shall only be charged in respect of the superior War Department, the Body-Guards, and the central military schools. The contributions required beyond the normal Budget to be voted by the Holstein States. The common expenses to be defrayed out of the common receipts, and of the surplus 21·31 per cent. to belong to Holstein, which, on the other hand, must bear any deficiency in the like proportion.

3rd. That, in so far as the expenses of the local administration in Holstein of the Domains, Customs, Posts and Telegraphs, cannot be defrayed out of the normal Budget, the deficiency is to be voted by the Holstein States.

4th. That the especial finances of the Duchy be under the management of the Minister for Holstein and Lauenburg.

5th. That the legislative power, in all common affairs for Holstein, be exercised jointly by the King-Duke and the States of the Duchy, and that special arrangements be made for giving effect to any such law, in so far as it may affect the relations in which a difference of legislation is incompatible with the hitherto existing community of the Monarchy.

6th. That the 5th Article, as above, shall take effect immediately; the other Articles on April 1, 1864.

The more particular provisions necessary for fixing the relation of Holstein to the common affairs of the Monarchy are to be submitted to the Holstein States for their resolution.

The wishes of the Duchy for more religious and civil liberty, extension of the elective franchise and eligibility, and the power of the States to resolve in regard to the special finances of the Duchy, will therein be attended to.

The Royal Rescripts to the Ministers of Finance, and War direct them to prepare the requisite measures and recommendations for carrying out the above alterations in the financial system, and establishing the separate Holstein-Lauenburg army. The Rescript to the Minister for Holstein and Lauenburg enjoins him to prepare the project of the amendments to be submitted to the States of the existing special constitution of June 11, 1854, and to have regard to the Financial changes appointed to take place on April 1, 1864.

It will be sufficiently obvious to the reader of these Ordinances that their real object is, by means of the constitutional isolation of Holstein, to promote the accomplishment of the incorporation of Schleswig with the Kingdom of Denmark, which has long been the chief aim of the Eider-Danish party. The proceedings of the political meeting held at the Casino in Copenhagen on the 28th ultimo may almost be regarded as a previous announcement of the policy of the Government; for the resolutions passed at that meeting deprecate the interference of the Germanic Diet, and recommend both the exclusion of Holstein, and the further development, upon a broader basis, of the existing union with Schleswig. The mere constitutional separation from Holstein, subject to a community of

* See Inclosures 1, 2, and 3, in No. 21.

certain branches of the public expenditure, is evidently not in itself a measure calculated to restore tranquillity to the Danish Monarchy, or to put an end to the existing differences with the Germanic Body. The Common Constitution of the 2nd of October, 1855, which has long ceased to have any legal validity, is to be nevertheless kept on foot for the kingdom and for Schleswig, and the Council of State (Reichsrath) is to continue to legislate for both these parts of the Monarchy. The demands in this respect of the Germanic Diet will therefore continue unfulfilled; and no attempt is made, or intention announced, to give to Schleswig that autonomy or constitutional independence to which that Duchy is entitled for the reasons so clearly explained in your Lordship's despatch to Copenhagen of the 24th of September, 1862.

The States of Holstein sympathise so strongly with the grievances of Schleswig that I very much doubt whether they will be brought to concur in any plan of settling the political relations of Holstein with Denmark unless the position of Schleswig shall at the same time be placed on a better footing. According to the Royal Proclamation of March 30, it is intended to re-assemble the Holstein States, and to submit to them the particular provisions necessary for carrying out the separation of the Duchy determined on by the Crown. Now the views of the Holstein leaders, in regard to the political situation of the Duchy, are so perfectly well known to the Danish Government, and their wants have been so clearly expressed in the communication which the Assembly of the States of Holstein made to the Germanic Diet during their recent Session,* that it really seems futile to expect that the States will abandon the position taken by them, and receive the independence of Holstein as a boon, without anything being done for Schleswig, or for securing the permanent internal tranquillity of all the parts of the Danish monarchy.

In fact, the prevalent opinion in Germany seems to be, that in attempting the forcible separation of Holstein from the rest of the monarchy, the Danish Government has taken a violent and ill-advised step, which is not at all calculated to satisfy the German population of the Danish monarchy, or to lead to an adjustment of the long-pending disputes with the Germanic Confederation.

I have, &c.

(Signed). J. WARD.

No. 29.

Mr. Jerningham to Earl Russell.—(Received April 14.)

My Lord, *Stockholm, April 6, 1863.*

WITH reference to your Lordship's despatch of the 11th ultimo, which reached me on the 4th instant, I have the honour to state that, having asked Count Manderström if the Danish Decree of the 30th ultimo, regarding Holstein and Lauenburg, which I perused through the kindness of my Danish colleague, Count Scheel-Plessen, established that complete administrative separation for those Duchies which was contemplated in his Excellency's despatch to Count Wachtmeister of the 22nd of February last, his Excellency replied that it did not do so entirely, and he also appeared doubtful about the advisableness of the *proprio motu* character of the Decree, as well as about its satisfying Germany to say nothing of the Danish Parliament.

I have, &c.

(Signed) G. S. S. JERNINGHAM.

No. 30.

Consul-General Crowe to Earl Russell.—(Received April 18.)

My Lord, *Leipsig, April 12, 1863.*

THE manifesto issued by the King of Denmark on the 30th of March, for the purpose of granting a new form of Constitution to Holstein, has created in Germany mixed feelings of anger and satisfaction.

Of the former kind chiefly are those which have found vent in the columns of the press of all shades. The journals swell, indeed, with indignation at the prospect of Schleswig's incorporation into the Danish monarchy, under cover of a measure which appears destined to give Holstein a shadow of autonomy. But warier politicians are inclined to judge less hastily of the Danish measure. They remark that the new

* See Mr. Ward's despatch of the 25th ultimo; *ante*, No. 20.

manifesto is, to a certain extent, a realization of the proposals first made in the summer of 1859, by the Cabinet of Copenhagen to M. Von Scheinitz, through the mediation of Count Manderström, and they reason by deduction pretty much as follows:—"The Danish Government has always been loud in its protest that were autonomy to be granted to the Duchies, the integrity of the Danish monarchy would be at an end. But by granting to Holstein a sort of autonomy, the Cabinet tacitly confesses that the anticipated dangers were imaginary. The extension of autonomy to Holstein may be taken as the forerunner of the same boon to Schleswig; for what is harmless in one Duchy is equally so in the other. Independently of the foregoing advantages to be derived politically from the last Danish measure, the following may also be noticed:—His Majesty declares in the preamble to the manifesto of March 30, that the results expected and proclaimed in the manifesto of January 28, 1852, have not been attained, and he then proceeds to abandon entirely the *locus standi* of that year. Would it be political casuistry, they say, to declare that whereas Germany on its part has held to the promises of 1852, and to the advantages which the reservation of rights required at that time may give it, Denmark has lost all claim to any consideration in respect of the Diplomatic Convention of that year. This question is naturally answered here in the negative, and according to that view it is competent to the Federal Diet to declare that such is the light in which it regards the last steps taken by the Danish Government. The question appears now to be, what course will Germany pursue? Prussia is unable and unwilling to interfere; nay, I am able to affirm that if the Bund interferes, it will not do so on the motion of the Prussian Envoy. But that the Bund will come to a resolution on the motion of other States is equally certain; and I am enabled to inform your Lordship that Oldenburg, the Hanse Towns, and the Thuringian Curia have already drawn up a formal declaration in the above sense, and made inquiry at Carlsruhe whether the Government of Baden will join, in which case M. Von Mohl would be the person intrusted with the duty of bringing the measure into the Diet.

In the meantime, persons intimately acquainted with Denmark and the Duchies state that the issue of the King's manifesto is a mere preliminary to a change in the electoral law of Schleswig. It is hard to conceive how the Danish Cabinet should intend to turn a hostile majority in the Schleswig States into a powerless minority. But it appears that by increasing the number of members to be elected by the clergy, which is now Danish, and by judiciously handling the Ritterschaft, the desired object may possibly be attained. In this case, and only when it becomes obvious that Schleswig may be incorporated into the Monarchy by a decision of its own states—in this case alone it is to be anticipated that a step beyond the mere reservation of rights will be taken on the part of Germany.

I have, &c.
(Signed) J. A. CROWE.

No. 31.

Lord Bloomfield to Earl Russell.—(Received April 20.)

(Extract.) *Vienna, April 16, 1863.*

COUNT RECHBERG mentioned to me to-day that he has forwarded to Count Apponyi, for communication to your Lordship, the copy of a despatch which he has felt compelled to address to the Austrian Minister at Copenhagen, in which he recalls to the Danish Government the circumstances under which, in the year 1852, the Imperial Government withdrew their troops from the continued occupation of Holstein and the fortress of Rendsburg. His Excellency said that he should also remind the Danish Government of the debt of seven millions which was still owing by them on account of this occupation, and that Austria could no longer postpone bringing the whole affair before the Diet of Frankfort. Count Rechberg added that the Prussian Government had expressed their approval of this proceeding, that it was one which naturally flowed from the peculiar position of Austria in the question, and the late Danish proclamation had compelled him to take this step.

No. 32.

Sir H. Howard to Earl Russell.—(Received April 20.)

My Lord, *Hanover, April 17, 1863.*

IT will be already known to your Lordship that on the occasion of the King of Denmark's Patent of the 30th ultimo, respecting the Constitution of Holstein, being

referred in yesterday's sitting of the German Diet to the United Committees to be reported upon, the Hanoverian Envoy reserved to himself to make a special motion on the subject.

I inquired of Count Platen to-day what the nature of this motion would be.

His Excellency replied that he had not yet drawn it up. A resolution, he said, on the part of the Diet, calling upon the King of Denmark to withdraw his Patent, as at variance with the Agreements of 1851 and 1852, and with the previous Resolutions of the Confederation, within a certain specified time, under pain of the enforcement of the Federal execution which had been suspended, would be fully justified. But he was desirous to see a Federal Execution staved off as long as was possible on account of the complications it would entail. He was, therefore, turning in his mind a Resolution, according to which the Diet should call upon the King of Denmark to withdraw the Patent, and should decide, if this should not be done within a certain time, to charge the United Committees to report upon the measures which it would be incumbent on the Diet to take. The adoption of this middle and milder course would allow more time for an amicable settlement.

His Excellency added that he was anxious to introduce into his motion, in some way or other, a recommendation of your Lordship's proposals of September last. He could not yet say how he might be able to do so, but he thought that, at all events, a reference might be made to the proposals in the preamble of his motion.

I have, &c.
(Signed) HENRY F. HOWARD.

No. 33.

Sir A. Buchanan to Earl Russell.—(Received April 20.)

(Extract.) *Berlin, April 18, 1863.*

I HAVE the honour to inclose a précis by Mr. Morier of the report of the debate which took place yesterday in the Chamber of Deputies on the Schleswig-Holstein question, during which M. de Bismarck answered questions put to the Government.

His Excellency said that the Danish Government have hitherto left unfulfilled their engagements contracted towards Germany in 1851 and 1852, have now, by the decree of the 30th of March of this year, acted in direct violation of them, and in some important points explicitly withdrawn from them. As to the steps to be taken in consequence of these circumstances, his Excellency observed the Government would consult with their confederates, whom they would find ready to protect the rights of Germany; Prussia and Austria being in the meanwhile agreed as to a common action until the question can be brought before the Diet and protests having been forwarded to Copenhagen.

I have inquired of M. de Bismarck what further steps he proposes taking beyond the despatch which he has sent to Copenhagen, and the protest which he has addressed to the Danish Government in common with Austria, of which documents copies will, I believe, be communicated to your Lordship by Count Bernstorff.

His Excellency replied that future action will be left entirely to the decision of the Diet, who will probably declare Germany to be released from the engagements into which she entered with respect to Holstein in 1852, including her assent to Prince Christian's succession to the sovereignty of the Duchy, and that the whole question may thus be re-opened on the *status quo ante*.

I observed that such a declaration on the part of the Confederation would, I feared, be soon followed by hostilities, but his Excellency said war need not necessarily be its immediate consequence, and Germany would consider her own convenience, as to how far and when it might be expedient to support her rights by arms.

Inclosure in No. 33.

Précis of the Debate in the Prussian Chamber of Deputies of the 17th April, 1863.

IN the sitting of yesterday the following interpellation was addressed to the Ministry by M. Twesten:—"Do the King's Government recognize, in the Ordinances of the Danish Government of the 30th of last month, a violation of the assurances given

during the negotiations of 1851-2, and do they consider themselves any longer bound by the obligations undertaken by them in the course of those negotiations, and as a sequel to them?"

In putting this question to the Minister President, M. Twesten said that as the late step taken by the Danish Government would necessitate fresh negotiations between Prussia and Denmark, it was right that the Chamber should express an opinion on the subject. He then briefly recapitulated the incidents of the dispute; and whilst admitting that the competency of the Federal Diet did not extend to the organisation of the Duchy of Schleswig, he rested Prussia's claim to the right of intervention on positive international engagements, as well as on the general international principles on which the late notes of England, Austria, and France to Russsia were based. The two points on which Denmark was bound *vis-à-vis* of Prussia were the parity of the German nationality with the Danish, and the non-incorporation of Schleswig into Denmark. As regards the first of these, the speaker brought forward a number of instances to prove the non-observance of her engagements by Denmark on this head, as regards the second he maintained that the ordinances of the 30th of March amounted to a flagrant treaty violation. The Common Constitution of 1855 had been protested against by the Federal Diet, and annulled at the demand of that body as regarded Holstein and Lauenburg, on the plea that the rights of those Duchies were curtailed by its possessions. It had, however, remained in force as regarded Schleswig and the Kingdom proper, and by the provisional state of things thus created a virtual incorporation in his (the speaker's) opinion had been brought about. By the late ordinances the Danish Government had changed this provisional into a definitive state. They would, however, never have dared to attempt so flagrant a violation of their engagements, had they not thought that Prussia was at present in no position to safeguard her rights. According to all international theory and practice, the violation of a Treaty by one of the contracting parties gives to the others a just *casus belli*. But the Danes know that a Government which stands in such total opposition with its own country, which is without the support of any party worth mentioning in the Representative Assembly of the Monarchy, which, owing to internal dissensions, is wholly without influence in Germany, and therefore quite incapable of taking an initiative, which by its policy in the Polish question, has placed itself in direct opposition to the Western Powers, such a Government they know is wholly incapable of waging war with Denmark. And if, under existing circumstances, the present administration were inclined to wage such a war, we would be forced determinedly to oppose such a Government because from their conduct of such a war we could never expect a satisfactory result or a definitive solution of the question. Moreover, the Danes have, from the history of the past, good grounds for knowing that the present Ministry will not be inclined to enter the lists against them. The present Minister President in the year 1849 described the war then being waged between Prussia and Denmark as "a highly unjust one, as a frivolous and mischievous undertaking in support of a wholly indefensible rebellion." The speaker then returned to the subject matter: he recalled the various occasions on which, in official despatches and in speeches from the throne, Prussia had declared it her office to maintain the rights of the Duchies. The attempt to form a Common Constitution on the basis of the negotiations of 1851-2 had hopelessly failed. The King of Denmark proclaimed as much in the ordinances of the 30th of March. The arrangements agreed to then had therefore clearly not been held to, and the Government had consequently the clear right to go back to the *status quo ante*, and to withdraw itself from all the obligations imposed upon it by the negotiations of 1851-2. Amongst these, and in the first line, the speaker placed the London Protocol of the 8th of May, 1852, which he maintained stood and fell with the engagement reciprocally entered into between Denmark and Prussia. The speaker then entered at length into the question of Succession, arguing that Russia was the only Power that had an interest in the so-called integrity of the Danish Monarchy. The telegraph had that morning brought the news from Ischl that Austria and Prussia had entered a protest against the late step of Denmark. A protest, however, did not suffice; a protest does not tear up treaties, it only confirms them; a protest only holds out a prospect of renewed and interminable negotiations on the basis of engagements which by Denmark are already broken. What we want is therefore something different. And if war is at present impossible, it is at least necessary that the Prussian Government should once for all withdraw from treaties which were concluded against Prussian interests, German honour and Schleswig-Holstein rights. The Speaker concluded by expressing the hope that the Minister President would be able to announce the immediate prospect of such a step.

It is worth remarking that in the detailed report of this speech published in this morning's papers no imputations against the veracity of M. Hall are placed in the

speaker's mouth, but that in the short notice of the Speech given in last night's papers he is represented as saying that "M. Hall's statement did not establish much, as that Minister had proved himself not over particular about the truth."

M. de Bismarck.—Before I proceed to answer the interpellation, I must reply to some of the observations made by the last speaker. I regret that he should have added to his very thorough and exhaustive exposé of the question certain statements calculated to impair the effect of his speech out of doors. He expects of me that I shall defend the cause of the Duchies. I cannot say that he makes this task easier by reading out fragments of a speech which I made within these walls fourteen years ago. This will not, however, hinder me from defending the interests of the country from my present position as Minister President. The former speaker has endeavoured to reassure Denmark on the question of war by stating that at the present moment she need not expect one. Gentlemen, one is not so easy of belief abroad as here. If we deem it necessary to wage a war we shall do so with or without your approbation. (Excitement.) The Minister-President then read out the following declaration:

"The Government of His Majesty answers the first part of the interpellation in the affirmative.

"The Government of Denmark has hitherto left the assurances it gave in 1851-52 unfulfilled: by the Edict of the 30th of March, on the other hand, it has acted in direct opposition to those assurances, and upon important points has explicitly withdrawn from them. What under these altered circumstances it may be requisite to do, the Government will determine in common with its German allies, who will doubtless show the utmost readiness to defend conjointly with us the Rights of Germany."

In the meantime Prussia and Austria, in consideration that it was by them that the German Diet was represented on the occasion of the negotiation of 1851–52, have come to an agreement as to what they should do until the Diet is in a position to come to a resolution.

In doing so they have started from the principle that the maintenance of German rights in Holstein-Lauenburg, and in reference to Schleswig, constitutes a duty imposed by the national honour, to the fulfilment of which the Confederation is bound and called to in its entirety, and that it is desirable that this solidarity should find its expression at all stages of the proceedings. This, however, does not prevent Prussia and Austria from deducing from their representative characters in 1851–2 the function of protesting at Copenhagen against the acts of Denmark, and thus, without prejudice to the ultimate decrees of the Diet for the time being, safeguarding its rights.

As both Powers, since the readiness of Denmark to fulfil the promises of 1852 has seemed problematical, have equally deemed it their business to obtain satisfaction for the just demands of Germany, so on the present occasion they have come to an agreement as to the steps to be taken in common at Copenhagen, and have already taken them. These steps are further accompanied by separate declarations on the part of the two Cabinets, the contents of which have been determined by the peculiar position which each occupied in reference to the origin of the negotiations of 1851–52, but which are calculated to strengthen the impression of the complete accordance with which the two Powers, and as is to be foreseen, the whole Confederation with them, oppose themselves to the action of Denmark.

This declaration having been read out, a discussion ensued in which no persons of particular note joined except MM. Virchow and Reichensperger, but in which strong remarks were made in reference to M. de Bismarck's declaration that the Government if they thought fit would be ready to go to war without the approbation of the Chambers.

No. 34.

Sir A. Malet to Earl Russell.—(*Received April* 20.)

My Lord, *Frankfort, April* 18, 1863.

THE Danish Government has taken the initiative in the Diet, by instructing Baron Dirchinck-Holmfeld to lay before the Assembly the Royal Decree of the 30th March, for regulating the Constitution of Holstein and Lauenburg. This communication took place in the sitting of the 16th instant, and was accompanied by the expression of the hope of the Danish Government that the course adopted would satisfy the requirements of the Diet. The President, Baron Kubeck, moved that this communication be referred to the joint Committees on Holstein affairs and for execution, to examine whether the engagements taken by Denmark in 1851-52, with Austria and Prussia, acting on behalf of the Diet, are satisfied by this Decree, and his Excellency made reserve of all the rights

and privileges of the Diet, whether arising from those precited engagements or from any other source whatever. His Excellency further protested against the assumption contained in the Royal Danish Decree of the 30th March, to the effect that the Diet had interfered unjustifiably.

The President's motion was adopted, but the Hanoverian Envoy withheld his vote, stating that he would make a declaration on the part of his Government in the next sitting.

The President further informed the Assembly that the Governments of Austria and Prussia had already protested at Copenhagen respecting this question.

I have, &c.
(Signed) A. MALET.

No. 35.

Sir. A. Malet to Earl Russell.—(Received April 20.)

(Extract.) *Frankfort, April* 18, 1863.

I HAVE it now in my power to inform your Lordship that the impression produced by the Danish Decree of the 30th March, concerning Holstein, is as unfavourable as is well possible.

Referring to my preceding despatch of this date, I learn from Baron Kubeck, that the protest therein mentioned, as having been already presented by his Government at Copenhagen, is couched in strong language, and his Excellency informs me that he believes the Prussian communication is equally stringent in tone.

In the first place, the Danish Decree is looked on as a decided step to the incorporation of Schleswig in the Monarchy, which would be a violation of formal agreement; and the complete implied disjunction of Holstein from Schleswig, though the Diet has no the same rights in the latter as in the former Province, is a severance of historical and recognized connection between the two Duchies, which is regarded as wholly inadmissible.

It is at any rate, said his Excellency, a step towards the realization of the projects of the Eider-Danish Party, and as such must encounter the determined opposition of Germany.

Your Lordship must be prepared to see this step of the Danish Government meet with decided and prompt measures of opposition on the part of the Diet. The direction of that Body's policy will be clearly indicated by the Protests already delivered at Copenhagen by Austria and Prussia, and I fully expect that the Hanoverian proposition announced for next Thursday will be for promptly taking coercive steps and proceeding to Execution.

No. 36.

Earl Russell to Sir A. Paget.

(Extract.) *Foreign Office, April* 22, 1863.

I AM informed that the French Minister at Copenhagen will be instructed to press upon the Danish Government the expediency, more especially at the present time, of acting with the greatest prudence and caution in regard to the Holstein question.

I have to instruct you to hold the like language in your communication with the Danish Government on those matters.

No. 37.

Sir A. Paget to Earl Russell.—(Received April 23.)

My Lord, *Copenhagen, April* 20, 1863,

I UNDERSTAND from my Austrian colleague that he has delivered two protests to the Danish Government against the Resolutions of the 30th of March, respecting Holstein.

The first was given in on Friday the 17th instant, in the form of a copy of a despatch from Count Rechberg, in which his Excellency protests, in the name of Austria, as a European Power, against the violation of the engagements arising out of the negotiations respecting Holstein and Schleswig, of 1851-52, without reference to any steps which may be now judged expedient by the Confederation. The despatch alludes to the prominent part taken by Austria in the negotiations above mentioned, to Austria being in military

possession of Holstein and of the fortress of Rendsburg during the negotiations, and to the fact that she only gave up these pledges in the confident reliance on the full realization of all the promises then made.

Count Rechberg says that Austria has hitherto refrained from putting forward any claim for the expenses of her occupation (something about 7,000,000 dollars), and would certainly never have pressed it, if the Danish Government had kept faith, but that under present circumstances she thinks it right to reserve her rights of requiring a settlement of this point also.

The second protest was delivered on Saturday, in a note from Baron Brenner to M. Hall. It states that the Resolutions of the 30th of March having been published without previous communication to Austria, and that as they are a violation of the engagements taken in 1851-52, the Austrian Cabinet, while reserving the rights of the Federal Diet, protests against them in her own name, as a member of the Confederation. The Prussian Minister delivered an identic note on the same day.

M. Hall appears to have been seriously impressed by these communications, of which I shall endeavour to obtain copies as soon as possible, for your Lordship's more complete information.

I have &c.
(Signed) A. PAGET.

No. 38.

Sir A. Paget to Earl Russell.—(Received April 23.)

My Lord, *Copenhagen, April 20, 1863.*

I HAVE the honour to inclose herewith a translation by Mr. Rainals of resolutions, published in the "Berlingske Tidende" of the 17th of April, which were adopted at certain political meetings recently held in Holstein,

I have, &c.
(Signed) A. PAGET.

Inclosure in No. 38.

Extract from the "Berlingske Tidende" of April 17, 1863.

(Translation.)

POLITICAL MEETINGS IN HOLSTEIN: RESOLUTIONS PASSED.—1. The Resolution of the last Assembly of the Estates:—To pray the German Federal Assembly to protect the rights and interests of the Duchies against Danish encroachment, meets with our entire approbation, and we tender our thanks to the Assembly of the Estates for this act, while we at the same time beg to express the hope and expectation, that the High Federal Assembly will offer a powerful resistance to said encroachments, which appear the more necessary after the late events at the meeting in the Casino of Copenhagen.

2. The continuance in force of the illegal Constitution of October 2, 1855, for the Kingdom and the Duchy of Schleswig alone shows a state of affairs equivalent to the incorporation of Schleswig with the Kingdom of Denmark, and can consequently no longer be submitted to by Germany; on the contrary, there is now much more reason than ever to labour for the re-establishment of *status quo ante*, as it existed and was recognized by the King of Denmark when the Federal Assembly passed its resolution of September 17, 1846.

3. Schleswig and Holstein are not provinces of Denmark, with respect to which the Danish people and its Government can do as they please in accordance with Danish interests and Danish pleasure. Schleswig and Holstein are entitled to a close political union as independent Sovereign Duchies.

4. The Duchies possess a never-relinquished right to a common liberal constitution and union, and to an independent hereditary succession separate from Denmark. As regards the London Protocol of May 8, 1852, the premises on which the different Powers, who then signed it, counted have not been fulfilled.

Both the German Great Powers are entitled—indeed it is their duty—now that Denmark has not fulfilled her engagements to Germany, immediately to withdraw from the London Protocol, and dispute as binding any and every engagement with respect to the same.

5. The German Confederation is not only entitled, but it is its duty, at once to take

military possession (execution) of the Duchies of Schleswig and Holstein, in order that the Danish Government shall not in the intermediate time be able to make progress in their system of breaking Treaties; and further, in order that here as elsewhere the unhappy "looking on" upon accomplished facts shall not become prevalent; and, finally, in order that the European Powers shall not meanwhile agree upon some kind of recognition of the same.

NOTE.—This § 5 is given in another German paper, thus:

In the complete separation of the Duchies of Schleswig and Holstein from Denmark which we endeavour to obtain by legal means, and by the annexation of these Duchies to Germany we see the only means by which their rights and interests can be secured against Danish aggression and oppression.

The "Berlingske Tidende" recommends that the Government shall discover and punish the persons who have taken part in these meetings and resolutions.

No. 39.

Sir H. Howard to Earl Russell.—(Received April 23.)

My Lord, *Hanover, April 20, 1863.*

COUNT PLATEN having been so good as to furnish me with the text of the motion which will be made on the part of Hanover, on the Schleswig-Holstein question, in the sitting of the German Diet to be held on the 23rd instant, I have the honour of transmitting herewith a translation of it to your Lordship.

Your Lordship will perceive that this motion proposes: 1st. That the Diet should declare the Proclamation of the Danish Government of the 30th ultimo to be legally void. 2ndly. That it should call upon the Danish Government to withdraw it, and, within six weeks, to make the announcement respecting a definitive settlement prescribed by the Resolutions of the Diet of the 11th of February and 12th of August, 1858. 3rdly. That it should declare the laws and ordinances issued by the Danish Government respecting Holstein and Lauenburg, subsequently to, and in contravention of the Resolution of the Diet of the 8th of March, 1860, to be legally void, and call upon the Danish Government, pending a definitive settlement of the Constitution of those Duchies, to observe the Federal Resolutions of the 8th of March, 1860, and 7th of February, 1861. 4thly. That, in respect to Schleswig, it should solemnly protest against any attempt to separate that Duchy, in respect to the constitution and administration of the general affairs, more from Holstein than was done by the Agreements of 1851 and 1852; and 5thly. That it should charge the united Holstein and Execution Committee to take into consideration, and afterwards to propose, the measures to be taken in the event of the Danish Government not complying with the above demands.

Count Platen stated that he had taken an opportunity in the preamble of this motion to express a favourable opinion of your Lordship's proposals of September last.

His Excellency observed to me that he hoped I would recognize the spirit of moderation in which his motion was framed, avoiding as it did the mention of a Federal Execution. That some other German Governments were in favour of going much further, and of requiring the restoration of the *status quo ante*, which would involve the reunion of Holstein and Schleswig, and would call in question the settlement of the Succession provided for by the Treaty of London of 1852, but that he was averse to such a course on account of the complications it would entail.

I have, &c.

(Signed) HENRY F. HOWARD.

Inclosure in No. 39.

Contemplated Motion of Hanover at the German Diet on Schleswig-Holstein Question.

(Translation.)

RESOLVED,—

1st. That the Proclamation issued by the Danish Government, under date of the 30th ultimo, be declared to have no legal effect, as being at variance not only with the Agreements of 1851 and 1852, but also with the previous resolutions of the Diet.

2ndly. That the Danish Government be called upon to withdraw the arrangements in question, and within a delay of six weeks to give such notice of a permanent settlement ("definitivum") as was enjoined by the Federal Resolutions of February 11 and August 12, 1858.

3rdly. That the laws, ordinances, and measures which have emanated from the Danish Government affecting the Duchies of Holstein and Lauenburg subsequent to and at variance with the Federal Resolution of March 8, 1860, be declared to have no legal effect; and further, that the Danish Government, until such time as the constitutional arrangements of Holstein-Lauenburg shall be definitively settled, be called upon to observe the Federal Resolutions of March 8, 1860, and February 7, 1861.

4thly. As regards the Duchy of Schleswig, that a solemn protest be entered against any attempt to bring about a wider separation from that Duchy in respect to the Constitution and the administration of common affairs than was stipulated by the Agreements of 1851 and 1852.

5thly. That the united Holstein and "Execution" Committees be charged to discuss and subsequently to propose such measures as a refusal on the part of the Danish Government to comply with the above demands would necessitate.

No. 40.

M. de Bismarck to M. de Balan.—(Communicated to Earl Russell by Count Bernstorff, April 23.)

(Translation.) *Berlin, April 15, 1863.*

YOUR Excellency has been already instructed, by another despatch from me of this day's date, to lay before the Minister Hall, in a note, the legal protestation which we are compelled to make, both for the German Bund and for ourselves, against the Proclamation of the King of Denmark of the 30th ultimo, relative to the Constitution question of the Duchy of Holstein; and the Austrian Envoy, to our very great satisfaction, has been directed to take, at the same time, a step in exact correspondence therewith.

I might confine myself to doing this, because the communication already made by the Holstein-Lauenburg Federal Deputy to the Diet, which exempts us from the otherwise indispensable necessity of bringing it ourselves before the Bund, places the Assembly in a position to assume the examination and judgment of a step which affects the internal condition of the Federal laws, as well as the legal claims of the Bund, which were determined by agreements of an international character. And I am far from desiring to anticipate that judgment, and the resolutions which may be come to in a matter not specially Prussian, but common to the German Bund.

But also I must not forget that it was Prussia and Austria who prepared and accomplished these agreements through their negotiations with the Danish Government. When those negotiations had been closed, these Powers, reserving the definite approval of the Bund under whose mandate they had acted, ordered their troops to withdraw from the Duchy of Holstein, and full governmental authority to be delivered into the hands of the King-Duke; they recommended to the Diet the acceptance of the agreements which they had come to, and it was upon their motion that the Bund, in the sitting of the 29th July, 1852, approved the same, and expressed its sanction of the alteration of a legal state of things, which was acknowledged by the King of Denmark himself but a short time previous to the outbreak of the disorders, to be in existence, and of ancient descent ("altergebracht"), and which had been precisely guarded *in integro* by Prussia at the Peace of 2nd July, 1850.

At that time already Prussia was not unaware that, by her recommendation of the propositions and promises of the King of Denmark to the acceptance of the Bund, she had assumed a serious responsibility towards the latter, and that she would not be free from reproach, if the confidence then expressed of a real satisfactory solution should turn out to be a delusion. In the consciousness of this responsibility, after having given back its mandate to the Bund, and again put the entire affair into its hands, she considered it to be her duty, throughout the ensuing ten years, to operate for the actual execution of those propositions, and the fulfilment of those promises, by all the means in her power, in the way of friendly advice and serious warning. Thus, in the last year, through the

negotiations held jointly with the Cabinet of Vienna, she again made the attempt to move the Danish Government to an acknowledgement of the right of the German Bund to the basis of the Agreements of 1851-52.

The reply to those endeavours, which were prompted by the utmost moderation, is contained in the Proclamation of the 30th March of this year.

The Danish Government, up to that time, had only neglected to fulfil the promises which it made in 1851 and 1852; now, by this proclamation, it has acted in direct opposition to them, and has expressly repudiated ("losgesagt") them in essential points.

The endeavours made in the commencement of the document to throw the fault of non-fulfilment upon the German Bund and the Holstein States, is in itself too futile, and has already been too often and too clearly refuted, to require now anything more than simple neglect. We may leave it to the Bund to call attention to the patience with which it has now for these ten years waited for this fulfilment.

But we cannot refrain from at once declaring, in our own name, to the Danish Government that we consider the conditions under which we assented, in the spring of 1852, to restore the Royal authority to the hands of the King-Duke, and moved for the sanction of the Bund for so doing in the summer of that year, to be violated by the present proceeding of the Danish Government; and that we cannot concede to it the right, in respect to us or to the Bund, to withdraw of itself from obligations which it has expressly contracted, first towards Prussia and Austria, and then towards the Bund, and which, years ago, were designated by the British Government as a debt of honour.

In this sense we have forwarded our legal protestation in the note to be given by your Excellency, and we repeat the same now, particularly in our own name.

We can only deeply regret that by this new measure representing the tendencies of a known party which aims at the complete incorporation of Schleswig, the whole result of the negotiations of 1851-52, would seem to be again placed in question, and that also the last attempts at mediation made by a friendly and impartial Power,—as the British Government has shown itself to be,—have been thereby directly opposed. But we are compelled to attribute the blame of the complications possibly connected therewith solely to the Danish Government, which, instead of listening to the advice of this Power, which has been supported on another side also, has preferred to follow the suggestions of a party which, under the pretext of special Danish interest, has devoted itself to destroying that naturally good understanding between Denmark and Germany which is so desirable.

Your Excellency will read this despatch to the Danish Minister President, and also give him a copy thereof.

(Signed) VON BISMARCK.

No. 41.

M. de Balan to M. Hall.—(Communicated to Earl Russell by Count Bernstorff, April 24.)

(Translation.) *Copenhagen, April 17, 1863.*

THE Undersigned, Prussian Envoy Extraordinary and Minister Plenipotentiary, has the honour to make to his Excellency Herr Hall, &c., the following communication:

The Supreme Proclamation and Rescripts of the 30th March last, in reference to the Constitution question of the Duchy of Holstein, have been communicated to the Prussian Government, through the Danish Minister in Berlin, without any further written intimation. The Undersigned is, therefore, directed to declare to Herr Minister Hall that the Prussian Government, in union with the Austrian Cabinet, reserves it to the German Bund to judge of the steps taken through that document, and that it expressly maintains, as it does hereby, for the Bund as well as for itself, all the rights and claims of a federal or international nature, which rest on the Agreements of 1852 or on any other foundation whatever.

The Undersigned, in fulfilling his instructions, has the honour, &c.

(Signed) BALAN.

No. 42.

Mr. Ward to Earl Russell.—(Received April 27.)

My Lord, *Hamburgh, April 22, 1863.*

I HAVE the honour to apprize your Lordship that, since the issuing of the Royal Proclamation of March 30, for the separation of Holstein from the rest of the Monarchy, a feeling of great irritation has prevailed among the inhabitants of that Duchy, which appears to be shared by all those in Germany who take an interest in the constitutional cause of both Schleswig and Holstein. The Proclamation is generally considered as an aggressive measure on the part of Denmark, tending almost to exclude any hope of bringing these long-pending differences to a peaceful solution.

In a country where neither the press nor public meetings are free, it is not easy for the opponents of the Government to give vent to their feelings without subjecting themselves to police restrictions and legal penalties. Nevertheless the voice of the Holsteiners has not been altogether silent on this occasion. On the 13th instant a meeting of several hundred citizens and inhabitants took place at Altona, for the purpose of discussing the steps necessary to be taken in the present critical state of their country, at which meeting were passed resolutions to the following effect:

1st. That the appeal made by the States of Holstein in their last session to the Germanic Diet for protection against Danish oppression be fully approved, in the hope that the Diet will put a stop to such proceedings as those recommended by the late Casino meeting at Copenhagen (of which the Ordinance for the separation of Holstein is the first step).

2nd. That the keeping in force illegally of the common Constitution of October 2, 1855, is equivalent to an incorporation of Schleswig with the Kingdom, and ought to be no longer permitted; but that every effort should be made to obtain the restoration of the *status quo anté bellum* existing at the date of the Resolution of the Federal Diet of December 17, 1846, which was recognized by the King of Denmark.

3rd. That Schleswig and Holstein are not Danish provinces, but are entitled to a close political connection as independent Duchies under the King-Duke.

4th. That the Duchies have never abandoned their right to a common Constitution, or to a succession of the Crown in the family of their own Princes, separately from Denmark; that the conditions of the London Treaty of May 8, 1852, have never been fulfilled; but that the two German Powers, especially now, after Denmark has by the Proclamation of 30th March last, openly broken the engagements with Germany, ought to detach themselves altogether from that Treaty.

5th. That it is the right and duty of the Germanic Confederation to proceed at once o an occupation of both Schleswig and Holstein, lest Denmark should commit further breaches of Treaty, and through the forbearance of Germany the European Powers should be led into anything like a recognition of such acts.

A public meeting, with a similar object, was intended to have been held at Elmshorn, in Holstein, on the 20th instant, and invitations were sent to leading men resident at Kiel, Altona, Rendsburg, Glückstadt, and other places in the Duchy. The police, however, interfered, and dispersed the assembly, which thereupon adjourned to St. Paul's, a suburb of Hamburgh; and in the evening of the same day, about 400 inhabitants of Holstein, or men connected with the Duchy, met at a tavern in St. Paul's, being out of the jurisdiction of the Danish police, and with reference to what they termed the Eider-Danish system pursued by the Government, as manifested by the Proclamation of March 30th, resolved:

1st. That the German Diet, and the German Great Powers, are bound in justice and honour, openly and plainly to withdraw from the Treaties of 1851 and 1852, as well as from the London Treaty of May 8th, 1852, and to recognize no other basis for their further political action against Denmark than the ancient, undiminished right of the Duchies.

2nd. That the people of the Duchies can only find a security for their national life and material interests in the union of Schleswig and Holstein into a constitutionally ordered State, as carried out in the Fundamental Law of September 15, 1848, settled by the representative body of the country.

3rd. That the state of the country imperatively calls upon us to work to that end with all legal means.

I learn also that a large meeting was held yesterday, the 21st instant, at Kiel, in the Exchange, when resolutions were passed similar to those of the St. Paul's meeting as above; and that it is intended to reiterate the same resolutions in all the towns in Holstein where the police may not succeed in preventing the meetings.

It thus appears that the same desire generally prevails in Holstein which has already been expressed by the late Assembly of the States, viz., that the Germanic Confederation should not any longer insist upon the fulfilment by Denmark of her engagements of 1851 and 1852, but should treat those engagements as absolutely broken, and should therefore revert to the *status quo ante bellum* and insist both upon the re-establishment of the former political union between the Duchies, and upon the abolition of the London Treaty of May 8, 1852, regulating the Succession to the Crown of the Danish Monarchy. That such a policy would be approved by the national voice of Germany may be confidently assumed. In the debate of the 17th instant in the Prussian House of Deputies upon the interpellation of M. Twesten, the Prussian Government was strongly urged to retire from its obligations of 1851 and 1852, including the London Succession Treaty, on the ground of those obligations having been notoriously violated by the Danish Crown; and there are many indications of a disposition of the Liberal Party throughout Germany to treat the conditions of the peace made with Denmark in 1850, and amplified by the engagements of 1851 and 1852 as entirely void, and to claim a settlement upon the basis of the *status quo* of the year 1846, or before the breaking out of the war.

In this state of public opinion much anxiety is naturally felt to ascertain what course will be adopted by the Germanic Diet, or what basis of settlement will now be acceptable to that Body. All that is yet known here is, that the Diet has referred to its joint Committees the objectionable Danish Ordinance of March 30, and that the Diet has received and referred to the same Committees the communication addressed to it by the Holstein States under date of 19th March last (of which I had the honour to lay a copy before your Lordship with my despatch of March 25).

Whatever may be the basis of action which the Germanic Diet may finally assume in this prolonged contest, it is, I humbly submit, perfectly clear that the King of Denmark's attempt to isolate Holstein by the Royal Proclamation of 30th March last, without any simultaneous guarantee for the constitutional independence of Schleswig, is pregnant with danger to the integrity of the monarchy, that it is a breach of the constitutional rights of the people of Holstein, and is likewise a positive infraction of the resolutions of the Federal Diet of February 11 and 25, 1858 (for the "Definitivum") and of March 8, 1860 (for the "Provisorium"). It is a rule of the Germanic Confederation, established by Article LVI of the Vienna Final Act, that the Constitution actually existing in any German State can only be altered in a constitutional way—that is, by accord between the Sovereign and the Representative Body in such State. The King-Duke is therefore legally bound to introduce into Holstein a constitutional *status* with the assent of the States representing the people of the Duchy. His refusal hitherto to do this has been the cause of the threat of an Execution which the Federal Diet still keeps suspended over him. But the illegality becomes the more flagrant when the King-Duke, of his own mere authority, and without asking the States, issues such an Ordinance as that of March 30, separating Holstein from the rest of the Monarchy, and endeavouring to cut through, by force, the knot of political difficulties which he might long since have unloosed by submitting himself to the decision of the Federal tribunal to which he is bound to pay implicit obedience.

The demand now made upon the German Powers to withdraw from their engagements of 1851 and 1852 is the not unnatural effect of the continued refusal of Denmark to fulfil her part of those engagements. Further, if the Danish Government had followed the recommendation conveyed to it by your Lordship's despatch to Copenhagen of September 24, 1862, the present agitation in Holstein would have had no existence; for at the end of last year the leading men in Holstein were well disposed to fall into an arrangement upon the basis of your Lordship's suggestions; whereas the recent acts of the King-Duke have not only been in opposition to your Lordship's advice, but are marked with a degree of violence and illegality which could hardly fail to exasperate the inhabitants of the Duchies.

I have, &c.
(Signed) J. WARD.

P.S.—Since writing the above, I have been informed that an attempt was made yesterday to hold a public meeting at Rendsburg, in Holstein, for the purpose of protesting against the Ordinance of March 30, and of adopting resolutions similar to

those passed by the meeting held on the 20th within the Hamburgh territory, but that the people assembled were dispersed by the police.

J. W.

No. 43.

Lord Bloomfield to Earl Russell.—(*Received April* 27.)

My Lord, *Vienna, April* 23, 1863.

WITH reference to my despatch of the 16th instant, relative to the affairs of Denmark, I have the honour to inclose herewith a translation by Mr. Barrington of a despatch therein alluded to, which was addressed on the 13th instant by Count Rechberg to Baron Brenner, the Austrian Minister at Copenhagen, and which has been published in the Vienna Gazette.

I have, &c.
(Signed) BLOOMFIELD.

Inclosure in No. 43.

Count Rechberg to Baron Brenner.

(Translation.) *Vienna, April* 13, 1863.

THE complications between Germany and Denmark have been brought to a decisive but most unexpected turning-point by the Royal Danish Proclamation of the 30th. The German Confederation will have to pass judgment upon this Proclamation; and Austria as a member of the Confederation cannot forestall the resolutions of the latter. But we feel ourselves in our individual capacity so nearly affected by the conduct of the Danish Court, that independently of what may be done at Frankfort, we must not delay in drawing the attention of the Danish Cabinet to the serious state of things which it has created by its recent measures.

On double grounds we think ourselves most justified in at once raising our voice against these measures.

The course of events of the year 1850 resulted in its being the Austrian Government which, after the peace of the 2nd of July of that year proved to have left all the questions at issue still open, was mainly concerned in negotiating the Treaty of 1851-52 with the Danish Court, and it is this Treaty which the Government of His Majesty King Frederick VII has thought proper openly to break. It is, therefore, impossible for us not to call to mind that at that time we held the Duchy of Holstein, and more particularly the fortress of Rendsburg, as a pledge, which, in common with Prussia and in accordance with our express declarations, we were resolved to release on such terms only as would insure proper and just conditions being executed with relation to the German Confederation of the rights after sovereignty of the King-Duke had been restored. Trusting to the promise given by Denmark to observe as binding the stipulations expressly laid down in Prince Schwarzenberg's despatch of December 26, 1851, Austria then resigned the pledge held by her; Denmark, however, has never discharged her debt, but on the contrary has now, by her late act, positively declared herself free from it.

The Imperial Court considers itself therefore justified, without anticipating the resolutions of the Diet, in protesting, by the present communication, against the Royal Proclamation of March 30, as contrary to the Treaty of 1851-52, negotiated by it in common with Prussia, for the whole German Confederation. It at the same time finds itself, from the existing state of things, under the necessity of demanding the reimbursement of the expenses arising from the execution in Holstein, of which fair notice was given to Denmark in the session of the Diet of August 11, 1853, and it therefore will propose to the Diet to take such steps as will lead to the satisfaction of this claim.

But we lament the Copenhagen Proclamation of March 30 for other reasons, no less strong than those already mentioned, viz., those of policy and of our great interest in the welfare of the ancient Danish monarchy.

In the course of last year, when the fruitlessness of the endless polemics about the interpretations of Treaties appeared to us to be clearly proved, we thought it necessary to state plainly, in our Memorandum of August 12, that the cause of the failure of all previous attempts at an understanding, was to be traced to the whole system of Government pursued in Copenhagen since the year 1855. In earnest and well-meant words

we gave warning of the visible danger of allowing the Danish Monarchy to resolve itself into a national Danish State within the Eider, and into a completely separated Holstein, instead of according to the whole a common constitution, including equally all its component parts. The Court of Copenhagen has not adopted our views; it has, on the contrary, now taken a decisive step towards the realization of the programme of the so-called Eider-Danish party. It, of course, is the best judge of what most benefits the Danish kingdom, but we on our side are nevertheless too firmly convinced that the course entered on can lead to no satisfactory end, not to declare plainly and at once, that the Proclamation of March 30 has been issued in direct opposition to all our counsels.

You will communicate a copy of this despatch to the President of the Cabinet. If M. Hall should grieve to hear from us such decisive objections to resolutions to which he has lent the authority of his name, he will yet do us the justice to acknowledge that in our language we have been always faithful to ourselves, and he will believe us when we say that it causes us real sorrow to see the relations between Germany and Denmark always assuming a more unsatisfactory form,—relations which, in the interest of both nations, might and should be on the closest and most friendly footing.

Receive, &c.
(Signed) RECHBERG.

No. 44.

Lord Bloomfield to Earl Russell.—(Received April 27.)

(Extract.) *Vienna, April* 23, 1863.

THE French Ambassador made a verbal communication two days ago to Count Rechberg on Danish affairs, and expressed the hope of his Government that Austria would not, in consequence of the Danish Proclamation, adopt measures that might render still more difficult the solution of this complicated question, and Count Rechberg has written a despatch to Prince Metternich in answer to this communication. His Excellency sends a copy of it to Count Apponyi, for your Lordship's information, and has observed to me that the policy of Austria, with regard to Denmark, is not to endanger but to uphold the integrity of the monarchy, whereas the Danish Proclamation is calculated to shake its foundations. He maintained further, and I understand he has said so to the Duc de Gramont,—that the four points proposed by your Lordship are the best basis that had yet been devised for arriving at an understanding on the subject at Frankfort. He deplores the idea of any incorporation of Schleswig, and considers the tendency of the proclamation to separate Holstein from Denmark as the work of the Eider-Danes in seeking to carry out their Scandinavian projects, and which, if pursued, must sooner or later lead to a dismemberment of the monarchy, and to the establishment of a new state of things in the north of Europe. Count Rechberg believes that the desire of the Holsteiners is to remain Danish, and he considers it to be in the true interests of Austria to endeavour to consolidate the Danish monarchy, and therefore regrets the late measures of the Cabinet of Copenhagen, which only tend to its dismemberment.

No. 45.

Sir A. Paget to Earl Russell.—(Received April 28.)

My Lord, *Copenhagen, April* 25, 1863.

WITH reference to my despatch of the 20th instant, I have the honour to inclose herewith translations, by Mr. Rainals, of the protests delivered to M. Hall on the 17th and 18th instants by the Austrian and Prussian Ministers relative to the Danish Resolutions of the 30th of March last.

These documents have just been published in the Danish newspapers.

I have, &c.
(Signed) A. PAGET.

Inclosure 1 in No. 45.

Identic Note addressed by Baron Brenner and M. Balan to M. Hall, April 17, 1863.

[See No. 41.]

Inclosure 2 in No. 45.

Count Rechberg to Baron Brenner, April 13, 1863.

[See Inclosure in No. 43.]

Inclosure 3 in No. 45.

M. de Bismarck to M. de Balan, April 15, 1863.

[See No. 40.]

No. 46.

Sir A. Malet to Earl Russell.—(Received April 30.)

My Lord, *Frankfort, April 25, 1863.*

IN the sitting of the Diet held on Thursday the 23rd, official communication was made to the Assembly of the Protest delivered at Copenhagen by the Austrian and Prussian Governments against the Decree of the Danish Government of 30th of March last, in the form of identical notes, dated on the 17th instant. These notes were referred to the joint Committees for the affairs of the Danish Duchies and for execution.

The proposition of the Hanoverian Minister, in reference to the Danish Decree of 30th March, was also made, and is to the following effect:

1. To invite the Diet to declare the Danish Decree null and of no effect, as at variance with the engagements of 1851-52, the fundamental laws of the Diet, and the special relations of the Duchies to the Diet.

2. To summon the Danish Government to withdraw this Decree, and to inform the Diet, within six weeks, how far the Diet's Decrees of 11th February and 12th August, 1858, have been complied with.

3. To declare null and of no effect all orders of the Danish Government respecting the Duchies made since the Diet's Decree of 8th March, 1860, and at variance therewith, and to require that the provisions of that Decree be observed until the definitive regulation of the Holstein-Lauenburg constitutional question.

4. As respects Schleswig, to protest against any further attempts to sever this Duchy from Holstein in constitutional and general affairs, as violating the agreements of 1851-52 and the rights of the Germanic Confederation; and further to protest against attempts to incorporate Schleswig in Denmark, and to take proper measures to prevent such incorporation.

5. To charge the joint Committees to deliberate on the steps to be taken, in case the Danish Government does not comply with these demands.

The Danish Envoy added to his previous general protest reserving the rights of his Government, an additional protest against confounding international affairs with questions of Federal rights, and applied this to the propositions of the Hanoverian Government, in as far as they related to a portion of the Danish monarchy to which the Diet's authority did not extend.

Representations on this point had, his Excellency said, been made in Vienna, and in Berlin, and in his capacity as Member of the Diet, he protested against the irregularity of referring such international matters to Committees of the Diet.

The Hanoverian propositions were, however, referred integrally to the joint Commissions.

I have, &c.
(Signed) A. MALET.

No. 47.

Mr. Baillie to Earl Russell.—(*Received May* 4.)

My Lord, *Stuttgardt, April* 27, 1863.

I HAVE the honour to inclose the accompanying despatch from Her Majesty's Chargé d'Affaires at Carlsruhe, reporting a conversation with Baron de Roggenbach on the Schleswig-Holstein question, with reference to which I may observe to your Lordship that the question has since been debated at considerable length in the Baden Chamber of Deputies. As the report of the speeches has only just reached me, I have not had time to read them through, but I observe that Baron de Roggenbach states that the Grand Ducal Government consider the engagements of 1851 and 1852 to be practically annulled by the Danish Proclamation of the 30th of March, and that Denmark can no longer claim anything from them, and that consequently the old condition of things, and the old principles of the inalienable rights of the Duchies are now restored.

Baron de Hügel has spoken to me on this subject, much in the same sense. He regards the Danish Proclamation as an act of insolence to Germany, as well as involving an utter disregard to solemn obligations, which could not be submitted to, but what course Austria and Prussia might eventually adopt, he could not say, nor had he any opinion of his own at present to give.

I have, &c.
(Signed) EVAN M. BAILLIE.

Inclosure in No. 47.

Mr. Ford to Mr. Baillie.

Sir, *Carlsruhe, April* 16, 1863.

DURING a conversation I lately had with Baron de Roggenbach, his Excellency spoke in terms of deep disapprobation of the Royal Danish Ordonnance of the 30th of March ultimo, relative to the constitutional position of the Duchy of Holstein.

He said that he would infinitely prefer a return to the *status quo ante* of 1845, and he observed that Denmark, in pursuing so imprudent a course, must have foreseen that she was reopening a question which had hitherto proved so vexatious a one; and that she could no longer expect that Germany would consider herself bound by her Treaty obligations towards her when she herself had shown so little regard for those she had contracted.

The Baden Government would nevertheless advocate an attitude of protestation in preference to the adoption of active measures of execution, which it viewed with repugnance, as likely to endanger the peace of Europe.

I am, &c.
(Signed) FRANCIS CLARE FORD.

No. 48.

Sir A. Paget to Earl Russell.—(*Received May* 4.)

(Extract.) *Copenhagen, April* 28, 1863.

I HAVE not failed, in obedience to your Lordship's instructions of the 22nd instant, to urge upon M. Hall the expediency, more especially under present circumstances, of acting with the greatest prudence and caution in regard to the Holstein question.

I find that my French colleague received instructions by telegraph of a similar purport at the end of last week, and spoke accordingly to M. Hall.

M. Hall said, that the Resolutions of the 30th of March were only the natural consequence of all that had preceded them. They had, he observed, been greatly and malevolently misinterpreted in Germany as being a positive act of separation on the part of the Danish Government, whereas the real meaning of them simply was to give to Holstein in the affairs which remained common to the whole monarchy a control equal

to that possessed by the Rigsraad. The separation would only take place in those affairs where an understanding could not be established between the Holstein States and the Rigsraad. The Government has, indeed, acted in entire conformity with the decrees of the Federal Assembly, save and except, of course, giving such powers to the estates as would virtually place the affairs of the whole monarchy in their hands.

In the course of the ensuing debates in the Rigsraad, his Excellency said he should give such explanations respecting the measures as would render impossible any but wilful misconception.

M. Hall assured me that the terms of his reply to the Austrian and Prussian communication would be of the most conciliatory nature.

No. 49.

Sir A. Paget to Earl Russell.—(*Received May* 4.)

My Lord, *Copenhagen, April* 29, 1863.

AS the Proclamation of the King of Denmark, regulating the constitutional position of the Duchy of Holstein in the Danish monarchy, has been productive of communications from the Austrian and Prussian Governments to the Cabinet of Copenhagen, of a character which leads to the impression that the relations of peace between those Powers and Denmark may, ere long, be seriously compromised, your Lordship may, perhaps, expect from me some expression of opinion on the subject of the measures it enacts. I shall endeavour to state my views in as concise a manner as possible.

The Proclamation in question appears to me to admit of being considered in a twofold light:

First. In what manner does it affect the material interests of the Duchy of Holstein? and

Secondly. What is its bearing upon the engagements entered into by Denmark with Austria and Prussia, in the course of the negotiations of 1851 and 1852?

In regard to the first point, it may generally be stated that the Proclamation of the 30th of March will have for effect to place the Estates of the Duchy of Holstein in possession of the same constitutional rights and privileges, in regard to the common affairs, as is possessed by the Assembly representing the other portions of the Danish monarchy. The Holstein States are to be called upon to give their sanction to every law and every item of expenditure beyond the normal budget, before either the one can have force, or taxes be levied for the other within the Duchy.

Therefore, in the event of a law on common affairs proposed by the Government being rejected by the Estates of Holstein, it is not to be carried into effect in Holstein, although it may have been voted for the other part of the monarchy by the Rigsraad, and the same rule is to apply in regard to items of expenditure common to the whole monarchy. But it is objected (in the memorandum inclosed in Sir A. Buchanan's despatch of the 11th instant), that every control over the expenditure and distribution is withheld from Holstein; that the regular budget of the monarchy will be laid before the Rigsraad, not before the Estates of Holstein; and that "additional expenses are to be laid before the Holstein States for Holstein"—the inquiry being added, whether this means that, if they refuse, the Reichsrath may vote for Schleswig and Denmark their quota from the common fund. An instance to illustrate the meaning of this inquiry is given, and it is supposed that "the Government asks 100,000 dollars, that Holstein refuses its 21 per cent., and the Rigsraad accedes and votes 79 per cent." Under these circumstances, it is asked—"Are these 79,000 dollars to be taken from the common fund," out of which "the Rigsraad has not a farthing to expend without the consent of the copartners, according to every principle of partnership?"

To the last objection I shall address my first reply. The "additional expense to be laid before the Holstein Estates for Holstein" is the supplementary budget which has to be laid before each Representative Assembly, and voted by each for every biennial period; and the meaning, as I understand it, is this,—that if Holstein refuses its share of an item of expenditure, Schleswig and Denmark may carry out the work intended from the fund common to them. When Holstein refuses its share for an item of expenditure, community of funds ceases to exist for that item. Thus, supposing 100,000 dollars to be required by the Government for the building of a gun-boat,

if Holstein refuses its 21 per cent., Denmark and Schleswig may construct the gun-boat for 79,000 dollars, or they may, at their option, make up the 100,000 dollars out of their own resources. In this way, if Holstein remains firm, she may hope, in the course of time, to be in the advantageous position of being protected by the navy of Denmark without having contributed towards its construction a dollar beyond the amount specified in the normal budget.

In regard to the first and second objection that every control over the expenditure and distribution is withheld from Holstein, and that the regular budget will be laid before the Rigsraad, and not before the Holstein Estates, it would appear that if the Estates of Holstein have the faculty of voting the amount of expenditure which they are called upon to contribute to the general expenses of the monarchy, they exercise as much power and control over that expenditure as is usually possessed by Representative Assemblies; and as, in order to enable them to vote their share of this expenditure the Budget must be laid before them, they will thus be, in respect to it, on precisely the same footing as the Rigsraad.

It is not correct, as stated in the Memorandum above referred to, that the King, by his own absolute will, has changed the provisional normal budget into a definitive one without hearing the Estates. With the exception of the expenditure under the War Department, for which special arrangements are to be made, to meet the new military organization, the normal budget published in the Proclamation of the 30th of March, is the same normal budget of 1856, and its provisional character is in no way changed, nor can it be so, except by a law voted by the Rigsraad and the Estates of Holstein.

I may perhaps be allowed to observe that the reference to your Lordship's plan of arrangement in the Memorandum is by no means to the point in discussing the present measure of the Danish Government. It is not, I venture to think, the standard by which they have to be judged, because it was not the basis on which the arrangements between Denmark and Germany were made.

There is no doubt that if your Lordship's proposals had been accepted by the parties concerned, a happy termination of the quarrel would have been the result, but I humbly submit that that is not now the question.

There is one more point mentioned in the Memorandum to which I shall now allude, viz., the assertion that the domains and forests are treated as common property, and their surplus revenue thrown into the common fund. The Proclamation of the 30th of March makes no new arrangement whatever respecting the surplus revenue arising from the forests and domains. Such as it is, it was fixed by the normal budget of 1856, and during the whole course of the correspondence between Austria and Prussia with Denmark in the last two years, it is not alluded to as a hardship.

But the Proclamation of the 30th of March is not simply confined to the position of Holstein as regards the common affairs of the monarchy. In the rescript addressed to the Minister for Holstein, it is distinctly stated that, in framing the local constitution for Holstein, the necessary regard shall be paid to reforms corresponding with the spirit of the times, "to the question of liberty of the press, right of petitioning, of forming unions, and of holding public meetings;" and, judging the future by the past, there appears no reason to doubt that the new draft of local constitution to be submitted to the estates will guarantee to the Duchy the enjoyment of every civil and religious liberty.

Such being the meaning which, from the reading of the document itself, and the explanations which have been given to me by the Danish Minister for Foreign Affairs, I attach to the Proclamation of the 30th of March, I cannot but come to the conclusion that it is neither injurious to the interests of the Duchy of Holstein, nor calculated to place the Duchy in a position of inferiority towards the other parts of the Danish monarchy. I believe, on the contrary, that it is the creation of a state of things of which few countries in Continental Europe would be disposed to complain, and with which Holstein itself might well be satisfied if its ideas were confined to the protection of its legitimate interests and national welfare. But such is unfortunately not the case.

In regard to the bearing of the Royal Patent of the 30th of March on the engagements of the Danish Government with Austria and Prussia, I fear that the verdict must be less favourable to the Danish Government, however much the force of circumstances may plead in favour of the necessity of having recourse to it.

It is not that the measure itself, as before stated, is a hardship upon the Duchy of Holstein, but it is impossible to deny that as a definitive arrangement, it is contrary to the stipulations entered into by the Danish Government with Austria and Prussia in 1851-52. In the course of those negotiations the Danish Government undoubtedly

undertook to unite the different portions of the monarchy under one common constitution, and it is, to say the least, bad policy on the part of the Danish Government to issue a Proclamation setting forth that that basis is no longer to be adhered to., It is, as it were, throwing down the gauntlet to those two great Powers, and, as was to be expected, they have not failed to take it up.

No argument *ab inconveniente*, as your Lordship justly observes in your despatch to me of the 20th of November, "can be allowed to prevail against positive stipulations and honourable engagements," and the Danish Government was therefore bound to persist against every discouragement, and in spite of every obstacle, in its endeavours to bring about the realization of the common Constitution which had been promised. Such has been the advice which has frequently been given to the Danish Government, but it has always been met by the objection that the affairs of the country could not remain at a standstill until such time as a solution, agreeable to Holstein and to Germany, had been found. This is the argument *ab inconveniente*, but the remedy was at hand. The measures which have now been adopted by the Danish Government are, with the exception of the separation of the army, those which were collectively urged by the Representatives of England, France, Russia, and Sweden, in the month of March, 1861, as a provisional arrangement, and there is little doubt that, if the advice had then been loyally acted on, a breathing-time would have occurred in this most vexatious question, during which the Danish Government would have had ample leisure to negotiate respecting the common Constitution, either with a successful result or with that of proving to the satisfaction of Europe that success in that direction was impossible.

The first fault, therefore, committed by the Danish Government was in not following the advice of the Great Powers on the occasion alluded to, and it has certainly not been wiped out by the wisdom of their policy since that time. They have consistently rejected the counsels which have on various occasions been offered to them, and which, if they had accepted them, would at all events, have gone far to secure them the support of the non-German Powers. The proposals which they have made to the Holstein States on the basis of a common Constitution have been of so flimsy and uncircumstantial a nature that they could hardly be considered as being offered with a serious intent; and, to wind up all, they have now promulgated measures of a definitive character which, however good in themselves, go directly in the face of their previous engagements. If the same measures, with the exception of the separation of the army, had been adopted as a provisorium, they would have been in accordance with the Federal Decrees. But, promulgated as they now are, in a definitive form, they can only be considered as a decided step in the policy of separation; and, therefore, the two Great German Powers are, no doubt, fully entitled to protest, as they have already done, against the step thus taken.

Considering, however, the fact (and it is not altogether unworthy of consideration), that the measures in question, so far from being injurious, are decidedly favourable to the reasonable interests of the Duchy, I think it may be said that, if Germany were now disposed to stand less rigidly by the letter of the engagements above referred to, she would thereby facilitate the practical amelioration of a state of things of which she has so long and so vehemently complained.

M. Hall has probably been urged in his present course beyond his own desires by the partisans of Eider-Danish policy in the Ministry; but he would appear, whilst giving advantage to his opponents, not to have been fortunate enough to satisfy completely the expectations of the extreme party in the Rigsraad, and even some of his usual supporters. There have been various articles in the newspapers of late, complaining that the measures do not go far enough towards a separation; and a motion has been on the paper of the Rigsraad,—but now, I believe, withdrawn,—directly incriminating the policy of the Government.

There is one other consideration which I have not paused to refer to in the course of this despatch, but which the Rigsraad, jealous (as is every Representative Assembly) of its Constitutional privileges, will probably not fail to bring under discussion, viz.:—that of the legality, involved in the promulgation of measures which will have for effect the establishment of a new administrative system, without previous reference to the Representatives of the nation.

I have, &c.
(Signed) A. PAGET.

No. 50.

Mr. Ward to Earl Russell.—(*Received May* 4.)

My Lord, *Hamburgh, April* 29, 1863.

THE agitation against the Danish Ordinance of the 30th of March last still continues.

On the 24th instant a meeting was held at the town of Itzehoe in Holstein, at which it was resolved to adhere to the resolutions on the political state of the Duchy which had been passed at the public meeting at St. Paul's, near Hamburgh, on the 20th preceding.

On Monday last, the 27th instant, a very large public meeting of Schleswig-Holsteiners, and others, sympathizing with them, took place in Wörmer's Saloon, in the city of Hamburgh, and was attended by about 2,000 persons, who adopted by acclamation the following resolutions, viz. :

" In opposition to the act of violence of March 30th, whereby the Danish Government has committed an open breach of Treaty, and has proceeded to the incorporation of Schleswig, we hereby declare—

" 1. That the object of our endeavours is a Schleswig-Holstein closely united, constitutionally free, and closely annexed to Germany.

" 2. That this object can only be attained by the entire separation of the Duchies from Denmark, which should take place at the instant, when the Oldenburg male line in Denmark shall expire, and the separate right of succession in the Duchies shall come into effect.

" 3. That it is therefore the indispensable duty of the Germanic Confederation, and of the great German Powers, openly and plainly to withdraw from the Treaties of 1851-52, which have been broken by the Act of March 30th, and especially from the London Protocol of May 8, 1852, never recognized by the Confederation, and to recognize no other basis for their further political action against Denmark than the Federal Resolution of September 17, 1846.

" 4. That the condition of the Duchies, particularly of Schleswig, and the honour of the German nation, imperatively require that the Germanic Confederation shall, if necessary by force, according to international law, compel the restoration of the nationa rights.

" 5. That we bind ourselves, to the best of our power, to diffuse and act upon these principles in a lawful way."

I further learn that a meeting of the German National League was held at Lübeck on Sunday last, the 26th instant, at which resolutions were passed in regard to Schleswig and Holstein very similar to those of the large Hamburgh meeting above noticed, and it was further resolved that the restoration of the political rights of the Duchies would be best promoted by the establishment of a German Central Power, and the summoning of a German Parliament, as provided by the Constitution for the Germanic Empire adopted by the Frankfort Assembly on March 28, 1849.

All this agitation is the fruit of the ill-advised attempt of the Danish Government to isolate Holstein, and incorporate Schleswig, in an unconstitutional way, without the consent of the States, and against the will of the people of both Duchies.

I have, &c.

(Signed) J. WARD.

No. 51.

Mr. Petre to Earl Russell.—(*Received May* 4.)

My Lord, *Hanover, May* 1, 1863.

COUNT PLATEN gave me to-day some information of very recent date connected with the deliberations of the Federal Diet upon the Schleswig-Holstein question which may be of interest to your Lordship.

His Excellency informed me that the Hanoverian motion, the pith of which was transmitted to your Lordship by Sir Henry Howard in his despatch of the 20th ultimo, and which was referred by the Diet to the United Holstein and Executive Committee, had encountered opposition from some members of the Committee on the score of its moderation and of the temperate course which it recommended.

Of the Governments represented in that Committee, Austria and Prussia had not yet declared their opinions concerning the motion, but his Excellency told me that he had received from both Vienna and Berlin expressions of satisfaction with the Hanoverian policy in respect to the Danish question. Grand-Ducal Hesse was for proposing that the Diet should declare itself at once as released by the Danish Proclamation of March 30th last from all engagements contracted towards Denmark since 1851, and that the *status quo ante*,—that is to say, the state of things antecedent to the outbreak of 1848,—should be proclaimed in the Duchies, leaving, however, unassailed the international stipulations of the Protocol of London. Bavaria and Oldenburg, on the other hand, were anxious to push matters still further; they wished not only that the engagements of 1851 and 1852 should be proclaimed as no longer binding, and the *status quo ante* as re-established in the Duchies, but also that the provisions of the Protocol of London should be declared as no longer valid.

The Oldenburg Plenipotentiary submitted to the Diet in its sitting of yesterday a special motion upon the Schleswig-Holstein question, of which Count Platen has kindly given me a copy. I have the honour to inclose it, with a translation. It proposes to the Diet, that as Denmark has not acted up to the Agreements of 1851 and 1852, and that in their note of the 6th of November last to the Austrian and Prussian Governments the Danish Government even denied that those agreements had the force of treaty stipulations, and that Denmark had finally renounced them altogether by the Proclamation of March 30, the Diet should declare itself to be legally released from all obligations connected with those Agreements, and, considering that the Duchy of Holstein was evacuated by the Federal forces in 1852 solely on the condition of the faithful discharge by Denmark of her obligations towards the Confederation, that the Diet should now reserve to itself to decide upon the adoption of such measures as circumstances might seem to render necessary.

Count Platen interprets this motion as an appeal to the Diet for immediate Federal execution: and, although the terms of the motion itself are somewhat vague and elastic, as a repudiation of the international settlement contained in the Protocol of London; his Excellency spoke of this attempt to urge the Diet to the hasty adoption of extreme measures against Denmark, and especially to the disavowal of arrangements which had received an international sanction, in terms of strong condemnation, and he begged me to assure your Lordship that he would do his best to defeat it. Although he considers that the conduct of Denmark is indefensible, and that she is responsible for any complications that may ensue, Count Platen is decidedly opposed, in the interest of the Duchies themselves, to any abandonment by the German Confederation of the Agreements of 1851 and 1852. They have been violated by Denmark, his Excellency says, but he is convinced that they furnish a surer and more advantageous basis of operation for Germany than the *status quo ante*.

Count Platen tells me that the excitement in Holstein is on the increase, and that in some portions of the Duchy, in Altona, for instance, apprehensions are entertained as to the preservation of the public peace.

I have, &c.
(Signed) GEORGE PETRE.

Inclosure in No. 51.

Motion submitted to the Frankfort Diet by the Oldenburg Plenipotentiary.

(Translation.)

THAT the Federal Diet should declare, in appropriate form, to the Government of Denmark and Holstein-Lauenburg:

1. That whereas the Danish Government have failed to act up to the Agreements of 1851 and 1852, based on Article IV of the Peace of Berlin, which were settled between Denmark and the German Confederation, and have constantly violated them in practice as regards the Duchies of Holstein and Lauenburg;

That whereas, moreover, in a note addressed on the 6th of November last to the Austrian and Prussian Governments, they now deny that their obligations towards the German Confederation partake of the character of treaty engagements, and finally, that they free themselves altogether in principle from those obligations by the Proclamation of March 30, communicated by them to the Diet;

The German Confederation, on its side, considering that this formal breach of the agreements of 1851 and 1852, legally absolves it from all obligations connected therewith, withdraws all the concessions which it made in those agreements to the Danish Government;

2. That, consequently, all the rights of the German Confederation secured by Article III of the Peace of Berlin are again in force, and in order to vindicate those rights, the Federal Diet, considering that the Duchy of Holstein was evacuated by the Federal forces in 1852, and the full exercise of sovereign authority in that Duchy restored to the King of Denmark only on condition of the faithful observance of the engagements which had been taken by the Danish Government, reserves to itself to decide upon the adoption of such measures as circumstances may seem to render necessary.

No. 52.

Sir A. Malet to Earl Russell.—(*Received May* 4.)

My Lord, *Frankfort, May* 2, 1863.

IN the sitting of the Diet, held on the 30th April, the Oldenburg Envoy made a proposition to the effect that, as the Danish Government had not fulfilled the engagements entered into in 1851-52, the Diet should declare itself released from the stipulations made on behalf of the Confederation by Austria and Prussia. That consequently the Diet should resume all rights pertaining to it in virtue of the IIIrd Article of the Treaty of Berlin, and should take such steps as were called for accordingly.

This proposition was referred to the joint Committee, with the dissentient votes of the Representatives of the Netherlands for Luxemburg, and of Denmark for Holstein-Lauenburg; the latter Envoy reiterating his protest in behalf of his Government and Sovereign.

As I understand the proposition of Oldenburg, it implies a return to the state of relations between the Crown of Denmark and the Duchies which existed before Denmark was under a Constitutional Government.

I have, &c.
(Signed) A. MALET.

No. 53.

Lord Bloomfield to Earl Russell.—(*Received May* 11.)

My Lord, *Vienna, May* 7, 1863.

COUNT RECHBERG has mentioned to me that he was about to send some further communications to Count Apponyi on the Danish question, and that he wished to remove the impression which your Lordship had received that the Austrian Government had ever thought of departing from the arrangements which had been made with Denmark in 1851 and 1852. His Excellency said, on the contrary, that he held fast to those arrangements, and considers them the best basis for negotiating at Frankfort, and that Prussia and Hanover also were of the same opinion. As to Bavaria, Baden, and Oldenburg, he apprehended those States are inclined to push matters to an immediate crisis, but his Excellency still hopes time will be gained for negotiation, though he does not conceal his expectation that if Denmark persists in her present course, the Diet will be compelled to adopt the extreme measure of an execution.

Since writing the above Count Rechberg has informed me that in his communications to Count Apponyi, and in the identic despatches addressed to the Austrian Representatives at Paris and St. Petersburgh, he states that after the question shall

be decided upon by the Diet, a term of six weeks will be allowed to Denmark, at the expiration of which, if she has not complied with the demands of the German Confederation to modify the recent proclamation of the King of Denmark in such a sense as shall leave intact the connection between the two Duchies, an Execution in Holstein will take place.

I have, &c.
(Signed) BLOOMFIELD.

No. 54.

Mr. Ward to Earl Russell.—(Received May 11.)

My Lord, *Hamburgh, May* 8, 1863.

THE new local Government of Holstein issued a notification, dated Copenhagen, April 30th, the day before the removal of the seat of that Government to Plön, warning the inhabitants against attending political meetings. The notification recites, that meetings had lately been held at different places in Holstein for the purpose of passing resolutions on the political state of the Duchy, and that there had been some disturbances in Altona, which called for the interference of the police and of the military. It therefore reminds the public that the holding of political meetings is contrary to the existing laws, and declares that all persons taking part therein, or committing excesses, will be punished with the utmost severity. Whether the existing laws really prohibit such meetings as those which have lately taken place in Holstein admits of some doubt, because at those meetings no common petition or address was proposed, and the special Constitution of Holstein, dated June 11, 1854, section 7, only prohibits such public meetings as may be convened for the purpose of common petitions or addresses. But the notification referred to betrays at once the anxiety and the unpopularity of the Government, which has long ceased to have any hold whatever upon the affections of the people of the Duchy, and only maintains itself by means of constraint and intimidation. The garrison of Altona is about to receive an increase of 1,600 Danish troops, including cavalry and artillery. Orders have likewise been given to strengthen the small garrisons at Kiel and Rendsburg, and it is reported that one or two Danish ships of war are to be stationed in Kiel harbour. These measures of precaution, whether necessary or not, will not assuredly tend to inspire the people of Holstein with additional confidence in those Ministers of the King-Duke who are the authors of the unconstitutional Ordinance of the 30th of March last.

I had yesterday an opportunity of conversing on the political situation of the Duchies with the Baron Adolphus de Blome, one of the leading men in Holstein, and an active member of the Assembly of the States. He said the condition of things was really most distressing, but that the States had done their duty in laying their case fairly before the Federal Diet in the communication made by them to that Body under date of the 19th of March last.* He observed that it was now more than ever to be lamented that the Danish Government had refused to listen to the recommendations made to it by your Lordship on the 24th of September, 1862, for those recommendations contained a fair and reasonable basis of settlement, upon which the States of Holstein would have been glad to negotiate. Now, the Danish Government had provoked a crisis by the unfortunate Ordinance of March 30, which never could be carried into effect, and which was so objectionable that even His Royal Highness the Prince Christian, who interfered so little in Danish politics, had deemed it his duty to protest against it. It had also called forth many public meetings, at which numbers of people had declared they would no longer be satisfied with the fulfilment of the Danish engagements of 1851 and 1852, but insisted on a return to the *status quo ante bellum*, and the ancient political union between the Duchies. I said that public opinion in Germany certainly seemed to set in the direction of wishing the Confederation to retire from the engagements of 1851 and 1852, and to demand from Denmark as a basis the *status quo* at the date of the Federal Resolution of September 17, 1846, and I asked Baron de Blome whether such a basis appeared to him a safe and desirable one for the Federal Diet to adopt? He answered that he saw great difficulties in the way of realizing it,

* See Inclosure in No. 19.

although he was aware that it was popular in Germany,—that the National League was working hard to attain it,—and that several Governments, viz., those of Bavaria, Oldenburg, Baden, &c., had been desirous of proposing it to the Diet. However, it seemed now pretty certain that Austria and Prussia would adopt the Hanoverian proposition threatening Holstein with an execution for breach of the engagements of 1851 and 1852, and that it was of course impossible for the small States to maintain the basis of 1846 against the judgment of the two Great German Powers. To this I could not but assent, remarking, however, that an execution into Holstein would be of very little use, unless some step should be simultaneously taken for the settlement of the Schleswig question upon the principles recently suggested by your Lordship; and with this observation Baron de Blome said he entirely concurred.

I have, &c.
(Signed) J. WARD.

No. 55.

Sir A. Malet to Earl Russell.—(Received May 11.)

My Lord, *Frankfort, May 9, 1863.*

REFERRING to my despatches of the 25th ultimo and of the 2nd instant, I think I may inform your Lordship that the adoption of the Oldenburg proposal to declare the Confederation released from the engagements of 1851 and 1852 will not be recommended by the Report of the Joint Commissions of the Diet, but that there is every prospect that the Hanoverian proposition or resolution, very nearly in accordance therewith, will form the basis of the Report.

However they may disagree on other matters, Austria and Prussia will act in unison on this question, and, allowing due weight to the assertions and rights both of Denmark and of Germany, it is not easy to arrive at any other conclusion than that the Danish Decree of 30th March has precipitated a crisis which may have very serious consequences for that monarchy.

There is every reason to believe that Germany would have been content with a permanent settlement of this vexed question, on the basis of your Lordship's despatch relating to the Danish Duchies.

The Decree of 30th instant has not only caused the revival of all the demands made upon Denmark on behalf of the Confederation, but the nullification of the succession to the Duchies, as settled by the London Protocol, is seriously agitated.

It is, therefore, to be expected that the proximate resolutions of the Diet will be of such a nature as to provoke an unsatisfactory, if not a defiant response from Denmark, and that the next step will be to carry out the long-menaced Execution.

Germany expects that Denmark will resist, and in the knowledge that maritime operations, which would probably be unfavourable to Germany, could not well be carried on in the Baltic in the winter, the Diet will be in no hurry to push matters to an actual breach till the season shall be so far advanced as to confine operations to a land campaign. A dilatory course is the more likely to be adopted, as the perspective of Swedish assistance to Denmark gives rise to well-founded fears of danger to the commerce and maritime establishments of Northern Germany.

I have, &c.,
(Signed) A. MALET.

P.S.—In consequence of next Thursday being a holiday, the Diet will hold no sitting. A. M.

No. 56.

Earl Russell to Mr. Petre.

Sir, *Foreign Office, May* 13, 1863.

I HAVE received your despatch of the 1st instant, relative to the recent deliberations of the Federal Diet upon the Schleswig-Holstein question.

Her Majesty's Government are happy to find that the views of Hanover are moderate. They could not acquiesce in the proposal of Oldenburg, which would entail a violation of Treaties to which Great Britain is a party.

I am, &c.
(Signed) RUSSELL.

No. 57.

Sir A. Paget to Earl Russell.—(Received May 18.)

My Lord, *Copenhagen, May* 14, 1863.

THE second debate in the Rigsraad, on the draft of the Address to the Crown, took place on the 11th instant, and was finally terminated in favour of the Government, by a narrow majority of five,

In the course of this debate the policy of the Government was much criticised by M. Bluhme, and as this gentleman was Danish Minister for Foreign Affairs in 1851, when the hostilities between this country and Germany were terminated, his remarks are not without interest.

I have, therefore, the honour to inclose herewith to your Lordship a translation by Mr. Vice-Consul Rainals of the speech of M. Bluhme, and of the reply which it elicited from M. Hall on this occasion.

I have, &c.
(Signed) A. PAGET.

Inclosure in No. 57.

Speeches of M. Bluhme and M. Hall in the Second Debate on the Draft of an Address to the King, May 11, 1863.

(Translation.)

M. BLUHME called attention to the fact that, together with eight other members, he had declared that the issue of the Patent of November 6, 1858, could not be considered as warranted by Section 23 of the Constitution. He and the said eight members would decline to support the Patent of March 30. With respect to the arrangements made in 1851-52, he declared that their character had been misrepresented. The true question at issue to be settled by the peace negotiations was the position of Schleswig in the Danish monarchy. He admitted that it was unjust that it should have been a subject of negotiation, but war had been carried on about that Duchy, and consequently it was necessary that it should be included in the negotiations, the result of which was a peace in which all parties reserved their rights. This peace was in reality only an armistice. At this period, October, 1851, he was appointed Minister for Foreign Affairs, and he was required to bring about a definitive peace—a compromise. This was done by the resolution of the Confederation of July 29, 1852; the result was the Royal Patent of January 28, 1852, accepted by the Confederation. One of the main points of these negotiations was that the King agreed not to incorporate Schleswig, and this was nothing new. When, in 1720, Schleswig was a fresh acquisition for the Crown, an incorporation as a province was no doubt desired; but this was not done for reasons which he considered well founded. The King had, in March 1848, during the war, and by the Manifest of July 15, 1850, unasked, made a similar declaration. Another point in the compromise was that Schleswig and Holstein should not remain in their earlier state of union with common administration and jurisdiction—a fact recognized by

the Federal resolution of July 29. It was further decreed that the position of the Duchies in the monarchy should be similar, in such way that Schleswig was not placed in a different position to the kingdom than to Holstein. The then Minister for Foreign Affairs distinctly declared that the compromise would only be possible provided the Confederation would take no step prejudicial to the monarchy. He was of opinion that the Government ought to have opposed the position which the Confederation had attempted to take with respect to the monarchy in matters concerning Holstein. The engagements entered into by the acts quoted it would be dangerous and unjust to evade, but this was nevertheless done by the Patent of November 6, and by that of March 30. If one party withdrew from engagements, what could be expected from the other? What could this country expect? *Status quo ante?* That, in this instance, would be *status quo ante* 1852; in other words, an enemy's army in Holstein, and fresh negotiations. The main point of the compromise was that Schleswig and Holstein should have positions towards the monarchy in every way similar; that is, if Holstein should be separated, a separation with respect to Schleswig might be demanded. But would Denmark be served by this? A third alternative might be, that Germany should confine herself to protesting, in order to act on the first favourable occasion. Germany, it is said, had herself broken her engagements. He wished she had acknowledged doing so. But she had not done so. The Government had acted in a manner most dangerous to the interests of the country. He disapproved of the proceedings of the Estates of Holstein, but he did not consider it settled that they would not be disposed to treat with another Ministry, in which the people of Holstein should be represented. He viewed their conduct as equivalent to a vote of distrust in the present Minister for Holstein. The demand, on the part of the friends of the Ministry, that the opponents should state their reasons for opposing it, he considered absurd *vis-à-vis* to the members who made the declaration referred to in 1859. They had a perfect right to criticise the acts of the Government. What he did in 1852 was so done because he considered it beneficial to the monarchy. The present Government had taken another course. It remained for them to prove they had taken the right one. But he could not comprehend how the Government would carry our their plan in the face of the Estates of Holstein, and in the face of all Europe. Germany had already protested against the course pursued by the Government, and there was every reason to believe that the rest of Europe would disapprove of it, and the Estates would also offer opposition. If the Government could satisfactorily prove to the Rigsraad that they possessed the means to carry out their policy, then he would not oppose them.

The President of the Council (M. Hall) observed, that he would refer to M. Bluhme's speech, by calling attention to two points,—the events which specially had reference to 1851-52, and to the events connected with the period during which another Ministry had been in office. M. Bluhme had called the Patent of January 28, 1852, a compromise. This might be so; but yet all that this Patent contained did not bear that character, viz., of compromise. Neither was it correct to state that the Confederation had accepted the Patent. It was communicated to it with the express declaration that it was only submitted with respect to the position of Holstein in the monarchy. M. Bluhme must be aware that it is impossible for a Government to state in advance how they propose carrying out certain principles. M. Bluhme had more especially dwelt on the period (1859) when the Rigsraad assembled after the issue of the Patent of November 6, 1851; but he thought he would have done better had he brought the subject forward in 1859. [M. Bluhme here stated that illness had then prevented his doing so]. Well, if he could not do so personally, why had not one of his party done so? M. Bluhme had this day stated that he did not consider the Patent of November 6, 1858, justified by section 23 of the Constitution; but why did he then in 1859 take part in the discussions of the Rigsraad as regarded other questions of Government? Such a partial support made the position of a Government difficult. M. Bluhme had inquired whether the Patents of November 6, 1858, and of March 30, 1863, might not be considered as a breach of the compromise referred to? He (M. Bluhme) admitted that Germany had also broken her engagement, but said that was no excuse for Denmark, who had by the course pursued by her lost the advantages of the compromise. He must observe that the Government had always pointed out to Germany their illegal acts; but it must not be forgotten that the country was in a threatened position in 1859 and in 1861. It was not fair on the part of M. Bluhme to assert that the present Government should not have given so much way to Germany in matters where the demands were not based on Federal rights, because it was by Article XXVI of the final Act of the Treaty of Vienna that Germany had been enabled to interfere in the constitutional affairs of this country, by reason that the first paragraphs of the Constitution

had not been submitted to the Estates of Holstein. Since the issue of the Patent of November 6, 1858, the German Powers had presented demands which exceeded the competency of the Confederation. The present Government had done their best to protect the interests of the country, and would have been satisfied to retire, if others more capable of doing so had presented themselves. M. Bluhme had stated that the Estates of Holstein might perhaps be disposed to act differently if another had held the post of Minister of that Duchy. This he was prepared to dispute, and it is well known that when the Minister was a Holsteiner the dissatisfaction was greater than now; the reason was that the demands of that Duchy could never be satisfied. In 1853 they wanted an absolute Government for the whole monarchy; in 1859 complete separation with four Legislative Assemblies; and in 1861-63 a Schleswig-Holstein. He was perfectly aware that the position of Denmark was very dangerous, but he must decline to enter upon the question how the present difficulties are to be got over. The object of the Ministry must at present be to remove the false interpretations of facts which had resulted from what had been done. It did not intend to evade the arrangements of 1852, but the safety of the non-Federal portions of the country must be secured; but if the Confederation exceeded its competency the position of Holstein must be changed. With regard to M. Tscherning, he would only observe that it must be evident to all who had followed the policy of the Government, that since 1855 all had been done to bring about an amicable arrangement. With respect to the proposed change in the address, to the effect that the paragraph respecting the production, during the session, of a draft of a Constitution, based on the Patent of March 30, should be left out, he would only observe that if the Rigsraad desired it, he would lay before it such a draft. He desired that the paragraph in the address which required that no change should be effected in the non-Federal portions of the country, whereby the development of the common Constitution could be forestalled, should be left out; if this were not done, he must consider the address as an expression of distrust in the Government.

M. Bluhme stated with respect to the Ordinance of July 26, 1854, that it was neither opposed by the Confederation nor by the Estates. He had only spoken on this occasion because he had been forced by circumstances to do so; he would, however, not revert to the period when he was Minister, as he would leave history to decide with respect to his acts and his conduct.

No. 58.

Sir A. Malet to Earl Russell.—(*Received May* 18.)

My Lord, *Frankfort, May* 16, 1863.

I AM enabled to confirm the opinion I have already had the honour of expressing to your Lordship, that Austria and Prussia would agree as to the course to be adopted by the Diet towards Denmark, in consequence of the Decree of March 30, for determining the future relations of Holstein and Lauenburg to the monarchy.

As I am informed, a proposition will be laid before the Diet in the joint names of the two Great German Powers, to summon Denmark to withdraw the Decree within a fixed period, with the perspective that refusal will lead to Execution.

I am not positively certain whether this proposition will be made in the sitting of Thursday next. If I am correctly informed, the complete arrangement of the form in which the proposition is to be made, was only arrived at on Tuesday last at Berlin, and my information is, that the Prussian Cabinet did not assent to the peremptory form in which, it is said, the summons to Denmark is to be couched, without considerable hesitation.

Your Lordship is not to understand that the Diet is to be called upon to make the proposed summons at once, but will in the first place decide on the question of its reference to the joint Committees; and I have no reason for altering the views I had the honour of laying before your Lordship in my despatch of the 9th instant, that cogent reasons will induce a slow and circumspect mode of action towards Denmark, so as to avoid coming to extremities till towards the close of the year.

I have, &c.

(Signed) A. MALET.

No. 59.

Mr. Petre to Earl Russell.—(*Received May* 18.)

(Extract.)

My Lord, *Hanover, May* 16, 1863.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 13th instant.

I have expressed to Count Platen the satisfaction of Her Majesty's Government at the moderate views of Hanover upon the Schleswig-Holstein question, and I told his Excellency at the same time that they could not acquiesce in the proposal of Oldenburg, which would entail a violation of treaties to which Great Britain was a party.

Count Platen replied that he was gratified at your Lordship's appreciation of his policy, and the more so as its moderation had by no means added to the popularity of the Hanoverian Government in Germany. But this latter result was one which he had foreseen, and had considered to be a minor evil as compared with that of proposing an abandonment of the basis of 1851 and 1852.

His Excellency added, that the proposal of Oldenburg had no chance whatever of oeing adopted.

I have, &c.

(Signed) GEORGE PETRE.

No. 60.

Earl Cowley to Earl Russell.—(*Received May* 20.)

(Extract.) *Paris, May* 19, 1863.

M. DROUYN DE LHUYS spoke to me this afternoon with some anxiety of the present state of the relations between Germany and Denmark. His accounts from Germany represent the public mind to be greatly excited in favour of a Federal execution in the Duchy of Holstein.

On the other hand his Excellency seems convinced that a Federal Execution in Holstein would be followed by hostilities on the part of Denmark in which Sweden would take a part.

No. 61.

M. Hall to the Danish Envoys at Berlin and Vienna.—(*Communicated to Earl Russell by M. de Bille, May* 22.)

(Translation.) *Copenhagen, May* 16, 1863.

HIS Majesty's Government have, with great regret, learnt from the identical notes communicated on the 17th of April last by the Austrian and Prussian Envoys, that the two Powers have been induced, in consequence of the Royal Proclamation and Ordinances of March 30th, to reserve expressly for the Germanic Confederation and for themselves all rights and claims whether of a Federal or international character derived from the agreements of 1852, or any other basis. The examination of the measures prescribed by the aforesaid publications is, however, reserved to the Germanic Confederation, as necessarily indeed had to be done, for where rights and claims are deduced from negotiations that have been conducted in the name of the Confederation and under its authority, these could only be enforced by the Confederation itself. Such an examination cannot, we are convinced, but show that the real substance of the Royal Proclamation of March 30 does not afford any grounds for a reservation, for His Majesty's Government have not intended by this or any other measure to ignore obligations contracted by His Majesty by the acceptance for his Federal territories of the Federal fundamental laws, or by the negotiations of 1851-52 with the Germanic Confederation.

The above-mentioned resolutions of the King have exclusive reference to the position of Holstein in the monarchy, and by them an extension of powers has been granted to the Holstein Estates.

It is self-evident that the Royal Government cannot by this new arrangement be prevented from fulfilling conscientiously the Federal obligations with regard to Holstein. On the contrary, the position of Holstein in the Monarchy having now become more independent, the Government will clearly be better enabled than formerly to respond to the wishes and demands of the Confederation. It is true that the Royal Proclamation

grants to the Holstein Estates that deliberative authority with regard to the legislation and the voting of supplies, which, according to the principles of the negotiations of 1851 was to be exercised by the common representative assembly also in respect to Holstein.

But His Majesty's Government cannot be made responsible for this; the two Great German Powers know that repeated Federal Resolutions, accompanied by threats of Execution, as well as the fruitlessness of all our attempts at effecting a compromise, have left His Majesty's Government no choice in this respect. That an eventual conflict between the Holstein Estates and the Rigsraad may lead to the partial dissolution of an existing community, if it should not admit of a compromise, is the necessary consequence of the demand, that the Holstein Estates should exercise a legislative authority with regard to those affairs, which, according to the negotiations of 1851, were exclusively reserved for the Common Representative Assembly, for otherwise the Monarchy would be completely paralysed.

I request you to read this despatch to his Excellency , and to leave him a copy.

I have, &c.
(Signed) C. HALL.

No. 62.

Sir A. Malet to Earl Russell.—(Received May 25.)

My Lord, *Frankfort, May 22, 1863.*

NO business of interest was transacted in the ordinary sitting of the Diet held yesterday, but I have reason to believe that whatever is being machinated against Denmark, will be carried on in a manner calculated to avoid publicity as much as possible.

I have only as yet ascertained positively, that Austria and Prussia are agreed on the course of proceeding; but as to what that course will be, I am reduced to conjecturing from probabilities, and from inferences drawn from slight and casual admissions by persons who must know what is to be done.

My impression is, that no proposition will be speedily made in the Diet, but that the joint Committees, *i.e.*, the Committee for the Affairs of Holstein and Lauenburg, and the Committee of Execution, will embody in the Report they have to make on the propositions of Hanover and Oldenburg, given in my despatches of the 25th April and of the 2nd May, a recommendation as to the mode of operating, and that the first step suggested, will, as I have already had the honour of stating, be to summon Denmark to withdraw the Decree of the 30th of March.

As regards the perspective of a military occupation of Holstein, an idea is afloat that it will differ in this respect from what it would have been, had it taken place in 1862, as it will be proposed to hold Holstein in pledge, till Denmark fulfils her engagements respecting Schleswig.

If this is done, your Lordship will hardly fail to see in such an act that the Diet takes a step assuming, or leading to assumption of Federal authority in that Duchy, which must necessarily provoke the determined hostility of Denmark.

I have, &c.
(Signed) A. MALET.

No. 63.

Mr. Ward to Earl Russell.—(Received May 25.)

My Lord, *Hamburgh, May 20, 1863.*

I HAVE the honour to transmit to your Lordship herewith a Report of the proceedings of a public meeting of Members of the German National League which lately took place at Bremen upon the Schleswig-Holstein question. It may serve as a specimen of the agitation still going on in this part of Germany against the Danish Ordinance of the 30th of March, and whose object is not the enforcement of the Danish engagements of the years 1851 and 1852, but to urge the German Governments to withdraw altogether from those engagements, and to insist upon a settlement upon the basis of the year 1846, or the *status quo ante bellum.*

I have, &c.
(Signed) J. WARD.

Inclosure in No. 63.

Extract from the "Hamburger Nachrichten" of May 16, 1863.

(Translation.) *Bremen, May* 13.

AN unusually numerous meeting of the Bremen Members of the German National League has been held in the Exchange Hall of this city. On the order of the day stood two questions:—1st. A system of Military Defence for Germany; 2nd. Schleswig-Holstein. Under the first head, after a long speech by Captain Nachtigal, a resolution was passed for the reform and extension of the present imperfect system of military education, and of the defence of the country. The second subject, the state of Schleswig-Holstein, was introduced by Dr. Böhnert, who gave an historical retrospect from the issuing of the Patent of Christian VIII down to the latest Danish Ordinance of March 30, 1863. He then moved the following resolutions:—

1st. That, inasmuch as Denmark has, by the Ordinance of the 30th of March last, indubitably renounced the Treaties of the year 1852, the German people ought to expect from their Governments, as the Governments of Oldenburg and Baden have already declared, not to consider those Treaties as any longer binding, but to regard the restoration of the rights enjoyed by Schleswig-Holstein before the war, as the only basis for the settlement of the Schleswig-Holstein question.

2nd. That the threatened security of the Duchies, and the honour of Germany imperatively require a speedy and energetic carrying out of the above demand; and that such a policy, which will be supported with the greatest sacrifices by all classes of the German people, offers at once the surest means of uniting our nation, and of encouraging a determined resistance against the dangers which threaten us from all sides.

These resolutions having been spoken to and adopted, M. Gröning, the Bailiff of Bremerhaven, declared that a war against Denmark ought to be the only solution now aimed at by the National League. If, he said, he uttered the fatal word "war," and that in a commercial city, it was not that he did not know its meaning. But it was the only answer to give to Denmark. After Professor Scherk, formerly Rector of the Kiel University, had spoken in the same sense and had described the hopeless condition of the Duchies, the Assembly passed a concluding resolution, viz.:—

3rd. That the Committee be authorised to communicate these Resolutions to the President of the National League, as the views of this Assembly, who are of opinion that at this moment the National League has no more important or urgent duty than to carry on a powerful agitation in the sense of the principles above declared.

No. 64.

Sir A. Buchanan to Earl Russell.—(Received May 25.)

(Extract.) *Berlin, May* 23, 1863.

THE Danish Minister has acquainted me with the substance of an official and of a confidential despatch from M. Hall, dated the 16th instant, which he communicated on the 20th to M. de Bismarck, in reply to the Prussian despatches protesting against the late proclamation of the King of Denmark with reference to the affairs of Holstein. The official despatch, which is identic with one addressed to the Danish Minister at Vienna, appears chiefly to state that the Danish Government agree with the Prussian Government, that it will be for the Diet at Frankfort to decide whether the steps taken by Denmark to comply with its last demands are satisfactory, and that they hope the decision of the Diet will be favourable, as the legislative action demanded for the States of Holstein over the common affairs of the Danish monarchy, as far as they affect Holstein, has been conceded.

M. Quaade said, that it had, however, been impossible for the Danish Government to comply with the demand of the Diet with respect to the observance of the Patent of the 28th January, 1852; a compliance with which would have been equivalent to granting to the States of Holstein a right to prevent the promulgation, in the Kingdom and in Schleswig, of laws which have received the sanction of the Rigsraad.

The confidential despatch of the Danish Government appears to have merely contained the expression of a hope that the Prussian Government would be disposed to exert its influence to promote an amicable arrangement of the question. M. de Quaade said that M. de Bismarck made no observations of importance with respect to these communications, and his Excellency indeed appears to have held nearly the same language

to him as he did last week to myself, as to the interests of Prussia requiring that she should take no initiative in the Schleswig-Holstein question, but leave it to be treated by the Confederation at Frankfort, as one in which Prussia had no special interest. M. de Quaade understands that the grounds upon which Austria had proposed the occupation of Holstein have been in some degree modified at the suggestion of the Prussian Government, for the purpose of more clearly claiming for the occupation of that Duchy the character of a purely Federal Execution, but M. de Quaade does not believe that it will be possible for the Diet to find simple Federal grounds for such a measure, and that the Danish Government will have a right to treat it as an act of hostility against the King of Denmark.

He does not appear, however, to have been as yet authorised to hold this language in the name of his Government, though M. de Bismarck informs me that he has expressed the same opinion to his Excellency.

M. de Bismarck himself considers it far from improbable that the occupation of Holstein, if such a measure should be thought necessary at Frankfort, might be resisted by Denmark; and he has mentioned this apprehension to me as one of the reasons why he is anxious that the troops employed for the purpose should neither be Prussian nor Austrian.

No. 65.

*Earl Russell to Lord Bloomfield.**

My Lord, *Foreign Office, May* 27, 1863.

HER Majesty's Government have heard with much concern that it is in contemplation to consider in the Diet at Frankfort of a Federal Execution in Holstein. Without discussing the declaration of the King of Denmark of the 30th of March, they instruct you to say that it is very desirable not to add to the existing complications and dangers of Europe.

Austria and Prussia declined in 1861 to negotiate on the affairs of Holstein without arranging those of Schleswig. But the affairs of Schleswig are matters of international concern, and should be discussed with the utmost calmness and deliberation by the Powers of Europe, and cannot be decided by the Diet of Frankfort.

I am, &c.
(Signed) RUSSELL.

No. 66.

Earl Russell to Sir A. Malet.

Sir, *Foreign Office, May* 27, 1863.

I TRANSMIT for your information a copy of an instruction which I have addressed to Her Majesty's Ambassadors at Berlin and Vienna,† relating to the Danish Duchies question.

I am, &c.
(Signed) RUSSELL.

No. 67.

Sir A. Malet to Earl Russell.—(Received May 29.)

(Extract.) *Frankfort, May* 27, 1863.

THE course of proceeding which, in my despatch of the 22nd instant, I had the honour of representing as likely to be followed, has been realized by the joint proposition of Austria and Prussia, relating to the Danish Duchies being laid before the Joint Committees instead of the Diet itself, so that the precise form and purport of the proposition will hardly transpire till the report is made.

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* A similar despatch was addressed to Sir A. Buchanan.
† No. 65.

No. 68.

Mr. Murray to Earl Russell.—(*Received May* 29.)

My Lord, *Dresden, May* 27, 1863.

I HAVE the honour to inclose to your Lordship copy of a despatch which I have received from Mr. Barnard, reporting a meeting held in Coburg to discuss the state of affairs between Germany and Denmark with reference to the Schleswig-Holstein question.

I have, &c.
(Signed) CH. A. MURRAY.

Inclosure in No. 68.

Mr. Barnard to Mr. Murray.

Sir, *Coburg, May* 24, 1863.

A MEETING has taken place here, where the present state of the Schleswig-Holstein question was discussed. The room was crowded, and many highly respectable persons, among whom some connected with the Government, were present.

After several speeches, the following resolutions were agreed to:

1. The Treaty of 1851-1852, so often violated by Denmark, is no longer binding for Germany.

2. The Protocol of London, 8th May, 1852, respecting the Danish Succession, which has never been recognized by the German Confederation, can only be regarded as not existent. The Duchies of Schleswig-Holstein are, as far as Denmark is concerned, a mere personal union.

3. The Duchies of Schleswig-Holstein are entitled to be reunited in virtue of the Fundamental Laws of the 15th September, 1848, promulgated by the German Confederation.

4. The Resolution of the German Confederation of 17th September, 1846, and Article 3 of the Peace of the 2nd July, 1850, must be regarded as the basis of negotiating with Denmark, and to any further measures to be taken against it.

The Meeting separated after many warm expressions of sympathy with Schleswig-Holstein. Many members of the National Association were present and most active.

I have, &c.
(Signed) C. T. BARNARD.

No. 69.

Earl Russell to Sir A. Malet.

Sir, *Foreign Office, May* 29, 1863.

WITH reference to my despatch of the 27th instant, inclosing copy of an identic instruction, which I gave on the same day to Her Majesty's Ambassadors at Vienna and Berlin respecting the question of a Federal Execution in Holstein, I have to desire that you will read that instruction to the President of the Diet at Frankfort. You will not, however, give a copy of it to his Excellency.

I am, &c.
(Signed) RUSSELL.

No. 70.

Sir A. Malet to Earl Russell.

My Lord, *Frankfort, 30th May*, 1863.

A MEETING of the association calling itself the National-Verein met here last Monday, the 25th instant; it was attended by most of the prominent leaders of the ultra-democratic party, and as it may be of some interest to your Lordship to be acquainted with the political programme which they put forward in view of existing political circumstances, I beg to enclose the manifest which was agreed upon at this meeting, and which is circulated under the sanction of its unanimous vote.

It is perhaps worth while to direct your Lordship's attention to the paragraph in which the repudiation of the London Treaty of 1852 for regulating the succession to the Sovereignty of the Danish Duchies is recommended. In fact, this document assumes that, as that Treaty has never been recognized by the Diet, it is to be regarded as

non-existing by all the members of the Germanic Confederation, excepting Austria and Prussia; and the supporters of the repudiating doctrine go so far as to argue that those Powers did indeed sign the Treaty in their attribute of separate sovereignty, but that they may emancipate themselves from its obligations in their quality of members of the Confederation.

I may remark that the National-Verein has been waning in consideration for some time past, especially since it has been less intermeddled with by police and legal prosecutions; but it is still an object of apprehension to most of the German Governments, and is at the present moment more actively discountenanced in Prussia, which its founders desired to place at the head of Germany, than in any other State.

Your Lordship will see in the document enclosed some expression of the feelings which the course taken by the Prussian Government excites in the most liberal section of the German public.

I have, &c.
(Signed) A. MALET.

Inclosure in No 73.

Extract from a Manifesto issued by the National Verein.

SI le Ministère Bismarck est prêt à nous entraîner dans une guerre que paralyserait fatalement le sentiment de son injustice, il ne peut, d'un autre côté, poursuivre sa politique réactionnaire sans se voir obligé de déserter lâchement le simple maintien diplomatique de notre droit, le droit de l'Allemagne vis-à-vis des usurpations du Danemarc. C'est au patriotisme de quelques Etats Allemands de second et de troisième ordre que l'Autriche et la Prusse, grandes puissances, abandonnent le soin de trouver la seule réponse digne que l'Allemagne puisse opposer à l'Ordonnance Danoise du 30 Mars. La question des Duchés engage plus que l'honneur de la nation: il s'agit en même temps de gagner et d'affermir une position d'un prix incalculable pour la protection de nos côtes, le développement de notre puissance maritime, l'avenir politique tout entier de l'Allemagne. Cela ne peut être atteint que si l'union traditionelle des Duchés est remise en vigueur dans toute sa plénitude, si les rapports de ces derniers avec le Danemarc sont ramenés aux principes de l'union personnelle et si l'ordre d'hérédité par les mâles est le seul reconnu. Le Protocole de Londres qui modifie arbitrairement l'ordre de descendance, n'a jamais lié l'Allemagne ni les Duchés; les Conventions de 1851 et de 1852, les obstacles humiliants élevés entre l'Allemagne et ses droits, tout cela, le Danemarc lui-même l'a mis à néant par son Ordonnance du 30 Mars. Notre tâche, en vérité, n'est point de relever péniblement et de nos propres mains ces obstacles, mais de ressaisir à travers leurs débris la possession intégrale de nos anciens droits.

On a déjà hautement, énergiquement proclamé ce devoir, non-seulement dans des réunions nombreuses du National Verein, mais même dans des cercles politiques d'ailleurs hostiles aux tendances de l'Association. On a senti qu'un intérêt commun devait réunir ici dans une action commune tous les partis dignes d'estime, tous ceux qui ont à cœur la prospérité de leur pays.

Seules, l'adoption et l'exécution courageuse de la motion d'Oldenbourg peuvent expier les fautes du passé. Et serace une expiation trop hâtée? Les Duchés n'ont-ils pas encore gémi assez longtemps sous le joug Danois? L'étranger ne se rit-il pas depuis assez longtemps de notre impuissance politique?

Nous l'avouons: un regard jeté sur les dernières infortunes du mouvement national semble devoir abattre toute espérance. Quand l'Allemagne eut échappé en 1859 à la guerre, on entendit demander à haute voix de mille côtés que la direction de la politique et des forces militaires de la nation fût remise aux mains de la Prusse. Cette crise passa sans obtenir de solution; mais elle avait rajeuni cette vieille vérité que jamais l'Allemagne n'occupera au rang des peuples la place qui lui convient, tant que sa Constitution n'aura pas subi une transformation radicale dans l'esprit de l'unité Fédérative. C'est cette idée qui créa le National Verein et qui nous amenait, dans notre déclaration du 4 Septembre, 1860, à exprimer la confiance: "que l'Allemagne confierait volontiers sa direction politique et militaire au chef de l'Etat Allemand le plus puissant, si, par une répresentation énergique de tous les intérêts nationaux, cette puissance se montrait capable de remplir vigoureusement sa vocation historique."

Or, qu'est-il arrivé depuis? Chaque pas du Gouvernement Prussien l'a tous les jours plus éloigné de sa tâche et conduit au point où nous le voyons aujourd'hui, c'est-à-dire

devenu non plus le bouclier protecteur, mais l'adversaire le plus dangereux des intérêts nationaux. Aujourd'hui, comme au printemps de l'année 1859, nous sommes sous la menace d'une guerre; mais les acclamations qui invitaient alors la Prusse à diriger les destinées Allemandes, ne se renouvellent plus;—elles retentissent dans le passé comme une dérision amère du présent. Aujourd'hui, le National-Verein est dominé des mêmes idées qu'à l'automne de l'année 1860, mais, si ceux qui sont aujourd'hui à la tête des affaires en Prusse et qui, condamnés par leur propre peuple, travaillent à la ruine de la puissance de cet Etat, voulaient s'emparer de la pleine direction de l'Allemagne, ils recontreraient le National Verein au premier rang des adversaires de tant d'audace.

Cependant, les malheurs qui affligent la Prusse et, par contre-coup, l'Allemagne, ne doivent ni décourager nos espérancee, ni paralyser notre action. Les tendances de l'Association n'ont pas pour but un succès dû au moment; aussi sont-elles indépendantes de la tournure momentanée des choses. Notre terme est invariablement resté le même: l'unité politique de l'Allemagne;—les voies seules en sont obscurcies. Plus la liberté intérieure et la sécurité extérieure de l'Allemagne sont compromises par une politique effrayante d'aveuglement plus se dresse vivante au cœur du peuple la conscience de *son* devoir et de son pouvoir d'obtenir les gages l'un meilleur avenir. Aussi voyons-nous notre Association grandir et marcher en dépit des défaveurs du moment, l'idée d'une réforme nationale—idée qui a pris corps dans la Constitution de 1849—pousser des racines tous les jours plus profondes, et l'appel fait au rétablissement du Parlement national trouver un commencement d'écho jusque dans le camp de nos adversaires.

Ce sont là des succès qui nous remplissent de confiance et doivent entretenir notre ténacité, doubler notre énergie. Avançons les rangs fermes et serrés,—il y va de la liberté et de la grandeur de la patrie!

No. 71.

Sir A. Malet to Earl Russell.—(*Received June* 1.)

(Extract.) *Frankfort, May* 30, 1863.

I HAD a conversation with the President of the Diet last evening in reference to your Lordship's despatch to Lord Bloomfield of the 27th instant, inclosed in your Lordship's despatch of the 27th instant addressed to myself, which I beg to report, and which will put your Lordship in possession, not only of Baron Kubeck's individual opinion, but, as I have good reason to believe, of the views of his Government and of the majority of the Diet in the present crisis of the Danish Duchies question.

I gave his Excellency an outline of what your Lordship had written, and he inquired firstly, whether I knew if a similar despatch had been sent to Berlin. I replied that I was not informed on that point, and his Excellency then said, he trusted that Her Majesty's Government would use its influence at Copenhagen, and endeavour to induce the Danish Government to listen to moderate counsels—that Denmark must give way, for Germany would not. Denmark would not have issued the Decree of the 30th of March, had she not counted on impunity from the general critical state of European affairs.

Denmark did not give satisfaction to the Diet, in the mode of dealing with Holstein and Lauenburg, and with respect to Schleswig, did not keep to her promises.

Denmark had not only engaged not to incorporate Schleswig, but to abstain from steps tending to incorporation. Here I interrupted his Excellency, and observed that the Diet could not in any way deal with Schleswig, and that it would be an unfair use of their power over Holstein, to occupy that Duchy militarily by way of putting pressure on Denmark in respect of Schleswig. The Schleswig affair was an European question, and could only be treated internationally.

Baron Kubeck replied that the Diet made no pretensions to consider Schleswig as on the same footing as Holstein and Lauenburg, and that they were quite ready to treat it as an international question. But, said his Excellency, it is an affair of honour for Germany to compel Denmark to keep her engagements, and an utter impossibility for the Diet to abstain from upholding principles which admit of no dispute.

The Diet, he went on to say, has been most moderate towards Denmark, and the Government of that country has encroached and presumed on the indulgence exercised towards it. I observed that the manifest desire of the British Government, as shown in your Lordship's despatch to Lord Bloomfield, was to parry the additional risk to the peace of Europe which the menaced Execution in Holstein might produce.

Baron Kubeck again said that English influence can best exert itself at Copenhagen. The Report of the joint Committees was (as I knew) under consideration, and though he

could not prejudge the decision, it was probable that military measures would be recommended.

I then called his Excellency's attention to the attempts making in several quarters to repudiate the London Treaty of 1852, and instanced the manifest of the National Association forwarded in my preceding dispatch of this date, touching that point.

Baron Kubeck admitted that several of the secondary States of Germany held the opinion that the Diet not having recognized the Treaty, was not precluded from using all its endeavours to upset it, or evade its Execution.

His Excellency, however, said that Austria, as a party to that Treaty, had not, nor ever could have any other idea than that of faithful adherence to its provisions.

No. 72.

Lord A. Loftus to Earl Russell.—(Received June 1.)

My Lord, *Munich, May 26, 1863.*

I INQUIRED lately of Baron Schrenk what course was intended to be pursued at the Diet with reference to the Danish Duchies' Question, and as to whether there was any foundation for the reported intention of Austria to propose an occupation of Holstein as a pledge for the fulfilment of the engagements taken by Denmark towards the two German Powers.

Baron Schrenk replied that Austria and Prussia had agreed on a joint proposal to the Diet, which nearly coincided with that submitted by the Hanoverian Government, and that it had been referred to the joint Committee of the Diet for their report. The general purport of this proposal, as far as I could learn, was to declare the late Ordinance of the Danish Government of the 30th March with reference to Holstein as contrary to the engagements taken by Denmark towards Germany, and consequently illegal; and to summon the Danish Government to withdraw it.

With reference to the reported proposal of Austria for the occupation by Germany of Holstein, his Excellency said that no mention was made of any such intention; but he added that it was not improbable that the Diet might be constrained to have recourse to such a measure if the Danish Government continued to act towards the Danish Duchies in contravention of the engagements they had taken.

I observed to his Excellency that the occupation of Holstein as a material guarantee would be a measure of grave responsibility if undertaken on grounds which exceeded the Federal Rights of Germany.

It appeared to me that such indeed would be the case if Germany sought to enforce her demands on Denmark with respect to the Duchy of Schleswig, which was not included in the Germanic Confederation. If, therefore, an occupation of Holstein should be undertaken by Germany on grounds which merely related to Schleswig, such an occupation could not be regarded in the light of a Federal Execution, but as bearing an international and consequently an European character.

Europe had seen, I observed, the fatal results to which the seizure of a material guarantee had led when the Emperor Nicholas crossed the Pruth. If Germany should thus be unfortunately led to light up a war on the Eider, she must be prepared for eventualities of an equally grave nature.

Baron Schrenk appeared fully sensible of the dangers to which I had referred, and expressed his opinion that for the moment there was no intention of abandoning the course of peaceful negotiation; nor did he appear to admit that the question would be carried beyond the limits of the Federal rights.

It appears also that the course which it is the intention of the Diet to pursue will be strictly based on the rights of the Germanic Confederation with reference to the Duchy of Holstein, so that if any coercive measures should be resorted to, they will, in appearance at least, preserve the character of a Federal Execution.

At all events, it is evident from past experience, that Germany will take care to expend the summer in negotiations, and will reserve till the autumn the adoption of any measures of a coercive nature, if such should be finally determined upon, in order that the maritime and commercial interests of Germany may not be exposed to a blockade of the Baltic Ports.

I have, &c.
(Signed) AUGUSTUS LOFTUS.

No. 73.

Sir A. Buchanan to Earl Russell.—(Received June 1.)

(Extract.) *Berlin, May* 30, 1863.

YOUR Lordship's despatch of the 27th instant having been delivered to me this morning by the messenger Harran, I called upon M. de Bismarck, and after mentioning the concern with which Her Majesty's Government regard the prospect of a Federal Execution in Holstein, I said I would read a despatch to him which I had just received from your Lordship on the subject, as the best way of acquainting him with the language which Her Majesty's Government had instructed me to hold to him respecting it.

When I had read your Lordship's despatch, he said that he had never shared in the excitement with which the Schleswig-Holstein question was treated in Germany.

I asked, if he objected to Holstein being occupied as a pledge, whether he believed there were grounds on which such a measure could be carried out as a Federal Execution.

He said that was now a point for the Diet to decide, Austria and Prussia having referred the question to Frankfort; and my query having led to some desultory conversation on the origin of the differences between Denmark and Germany, I observed that the principle of representation of each state, according to its population and resources, to which the Prussian Government had objected in a General Constitution for the Danish Monarchy, is the only one upon which he had himself told me Prussia would ever consent to the extension desired by the other States of Germany, of the power and attributes of the Diet at Frankfort; but I added he had heard from your Lordship's despatch I had no authority to discuss such matters with him, and I was merely instructed to acquaint him with the views of Her Majesty's Government on the European bearings of the Schleswig-Holstein question, and to state to him that while it is very desirable not to add to the existing complications and dangers of Europe by a Federal Execution in Holstein, the affairs of Schleswig, in the opinion of Her Majesty's Government, should be discussed with calmness and deliberation by the Powers of Europe, and that they cannot be decided by the Diet of Frankfort.

His Excellency replied that perhaps the best way to settle the question might be to submit it to a Congress, but that your Lordship should make your opinions on the question known to the Diet at Frankfort; and he asked whether I could not communicate your Lordship's despatch to him.

Without being more fully acquainted with the views of Her Majesty's Government on the subject, I thought it advisable not to ask for any distinct expression of his opinion as to the expediency of a Congress or Conference on the Schleswig question.

No. 74.

Sir A. Malet to Earl Russell.—(Received June 3.)

My Lord, *Frankfort, June* 1, 1863.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch, directing me to read to the President of the Diet the identic instruction given by your Lordship on the 27th instant to Her Majesty's Ambassadors at Vienna and Berlin, respecting the question of a Federal Execution in Holstein, which was inclosed to me in your Lordship's despatch of the same date.

I executed your Lordship's instructions in this respect yesterday, and his Excellency requested me to convey his thanks to your Lordship for the courtesy which had dictated this communication.

I have, &c.

(Signed) A. MALET.

No. 75.

Sir A. Paget to Earl Russell.—(Received June 7.)

My Lord, *Copenhagen, June* 4, 1863.

I HAVE the honour to transmit herewith a translation which I have received from the Ministry of Foreign Affairs of the despatch addressed by M. Hall on the 16th of May to the Danish Ministers at Berlin and Vienna, in reply to the communications received by his Excellency from the Austrian and Prussian Governments on the 17th of April last.

I have, &c.

(Signed) A. PAGET.

Inclosure in No. 75.*

M. Hall to the Danish Ministers at Berlin and Vienna.

(Traduction.) *Copenhague, le 16 Mai,* 1863.

LE Gouvernement du Roi vient d'apprendre avec une vive douleur par les notes remises à la date du 17 Avril par les Envoyés de Prusse et d'Autriche à Copenhague, que ces deux grandes Puissances se sont crus obligées par la Patente et les Rescrits du Roi en date du 30 Mars de revendiquer, au nom de la Confédération Germanique, ainsi que pour leur propre compte, tous les droits et titres de nature fédérale ou internationale, reposant sur les arrangements de 1852, ou sur n'importe quelle autre base.

L'appréciation des mesures qui ont été prises par les dits Actes, les deux Puissances la réservent toutefois à la Confédération ; et il va de soi en effet que des droits et des titres devant dériver de négociations qui ont été conduites au nom et avec l'autorisation de la Confédération ne sauraient être revendiqués que par celle-ci. Or, selon notre ferme conviction, une telle appréciation ne servira qu'à montrer que la Patente Royale du 30 Mars, si elle est comprise suivant sa teneur réelle, ne donne aucun prétexte à une revendication quelconque. En effet, ni par cet acte, ni par aucun autre, le Gouvernement n'a eu l'intention de méconnaître des obligations qui peuvent incomber au Roi, en vertu des lois fédérales acceptées par Sa Majesté pour les territoires fédéraux ou par suite des négociations de 1851-1852 avec la Confédération Germanique.

Les mesures Royales en question se rapportent exclusivement à la position du Holstein dans la Monarchie, et par elles une compétence plus large a été accordée aux Etats du Holstein.

Il n'est pas besoin de dire que ce nouvel arrangement ne saurait avoir pour effet d'empêcher le Gouvernement Royal de remplir consciencieusement les obligations Fédérales pour le Holstein : tout au contraire, le Gouvernement prévoit qu'il sera plus complètement en mesure de satisfaire les vœux et les exigences de la Confédération depuis que la position du Holstein dans la Monarchie est devenue plus indépendante. Et s'il est vrai que la Patente Royale accorde aux Etats Holsteinois cette compétence délibérative dans la législation et dans le vote des crédits qui, suivant les principes des négociations de 1851, devaient être exercée, pour ce qui concerne le Holstein aussi, par la représentation commune, on ne saurait en rendre responsable le Gouvernement Royal.

Les deux grandes Puissances Allemandes savent que des Résolutions Fédérales répétées et accompagnées de menaces d'Exécution, combinées avec l'insuccès de tous nos essais de conciliation, n'ont laissé aucun choix au Gouvernement Royal à cet égard. Tel conflit éventuel entre les Etats du Holstein et le Rigsraad qu'il ne serait pas possible de concilier, devra, il est vrai, déterminer une dissolution partielle de la communauté existante ; mais il n'y a là qu'une conséquence nécessaire de cette exigence de la Confédération que les Etats Holsteinois soient investis d'une compétence législative dans la catégorie d'affaires qui, d'après les arrangements de 1851, devait pourtant exclusivement relever de la représentation commune ; et cette conséquence ne saurait être évitée, à moins qu'on ne consente à frapper de paralysie toute l'existence de la monarchie.

Je vous prie, Monsieur, de donner lecture de cette dépêche à M. et de lui en laisser copie.

No. 76.

Lord Bloomfield to Earl Russell.—(*Received June* 8.)

My Lord, *Vienna, June* 2, 1863.

I HAVE read to Count Rechberg your Lordship's despatch of the 27th ultimo, in which you state that Her Majesty's Government have heard with much concern that the question of a Federal Execution in Holstein was under the consideration of the German Diet, and that they consider it very desirable not to add to the existing complications and dangers of Europe, and in which you remark further that Austria and Prussia declined in 1861 to negotiate on the affairs of Holstein without arranging those of Schleswig, that the latter are matters of international concern, and should be discussed with the utmost coolness and deliberation by the Powers of Europe, and cannot be decided by the Diet of Frankfort.

Count Rechberg said he had heard from Berlin that a communication on this subject had been made there by Her Majesty's Ambassador, and he was therefore expecting one of the same tenor. He observed that the question was advancing very slowly at Frank-

* For Translation see No.

fort, but that it must go on, and he referred on this as he had done on a former occasion to the project of arrangement proposed by your Lordship to the Danish Government; upon which basis, he remarked, the Imperial Government were always ready to treat.

His Excellency added that there was a powerful party at Copenhagen who disapproved of the Proclamation of the 30th of March, and he seemed to expect that Ministerial difficulties might arise there which would facilitate an arrangement of the question without compelling the Diet to have recourse to the extreme measure of an execution.

I have, &c.
(Signed) BLOOMFIELD.

No. 77.

Earl Russell to Sir A. Malet.

(Extract.) *Foreign Office, June 9, 1863.*

I HAVE received and laid before the Queen your despatch reporting that you had read to the President of the Diet my identic despatch to Lord Bloomfield and Sir A. Buchanan, deprecating a Federal Execution in Holstein.

If the President of the Diet wishes it his Excellency may have a copy of my despatch in question.

What Her Majesty's Government wish to ascertain is whether the course intended to be pursued towards Holstein is grounded on the Federal rights of the Confederation, or is to be adopted as a means of enforcing the obligations, whatever they may be, of Denmark to the Confederation in regard to Schleswig.

Other European Powers, non-German, make a great distinction in this respect.

You may read and give a copy of this despatch to his Excellency.

No. 78.

Lord Bloomfield to Earl Russell.—(Received June 15.)

My Lord, *Vienna, June 9, 1863.*

I HAVE the honour to inclose translation by Mr. Mounsey of a despatch published in the "Wiener Zeitung," which Count Rechberg has addressed to the Austrian Minister at Copenhagen in reference to a late communication of the Danish Government on the subject of the Proclamation and Ordinances of the 30th of March.

The Imperial Government throws back on that of Denmark the responsibility of the present state of this complicated question, and declines the further discussion of a subject now in the hands of the German Confederation.

Having alluded to-day, in the course of a conversation with Count Rechberg, to the Danish question, his Excellency said that the understanding between the Austrian and Prussian Governments was now complete.

I told him that I nevertheless hoped that this agreement of the two great German Powers would not hasten the threatened execution in Holstein, and that whilst Austria was pursuing a policy of peace in the affairs of Poland, I trusted she would be careful not to follow one in those of Denmark which might lead to war. His Excellency replied that a Federal Execution was not war, and that Germany required nothing but the execution of promises made by Denmark in 1851 and 1852, which she had persistently declined to fulfil.

I have, &c.
(Signed) BLOOMFIELD.

Inclosure in No. 78.

Extract from the "Wiener Zeitung" of June 9, 1863.

(Translation.)

INSTRUCTION to BARON BRENNER, COPENHAGEN, dated Vienna, May 30, 1863.—"The despatch, copy of which is herewith inclosed, communicated to me by the Danish Minister General Bülow, contains the reply of the Cabinet of Copenhagen to the note by which on the 17th of April last, and in pursuance of your instructions, you reserved our rights and those

of the German Confederation in face of the Royal Proclamation and Ordinances of the 30th March.

"Now, as on former occasions, the King's Government declare that they are not responsible for a state of things which they maintain has not been brought about by their free will, but has been forced upon them by the resolutions of the German Confederation, I regret on my part being obliged to repeat that, according to the intimate conviction of the Imperial Government, the Court of Denmark is not in any way justified in throwing the responsibility of a situation, the irregularity of which it does not conceal, on the German Confederation, because the resolutions of the latter, called forth by measures in contradiction to the agreement of 1851-52, had no other object in view than the fulfilment of that agreement.

"The Imperial Government, in its individual capacity, must likewise refrain from further discussion on this subject, because at the present stage of the question it must, as M. Hall anticipates, abandon to the German Diet, as the organ of the whole of Germany, the duty of representing and enforcing the Constitutional and Treaty rights of the Confederation.

"You will speak in this sense to the Danish President of the Council.

"Receive, &c.

(Signed) "RECHBERG."

No. 79.

Mr. Ward to Earl Russell.—(Received June 15.)

My Lord, *Hamburgh, June* 10, 1863.

THE inhabitants of Holstein and Schleswig being desirous of proving to Germany that they no longer wish for the fulfilment of the stipulations entered into between the German Powers and Denmark in the years 1851 and 1852, but rather that the Germanic body should abandon those stipulations as having been violated by Denmark, and should not treat with Denmark upon any other basis than the *status quo ante bellum*, have transmitted a considerable number of addresses to the Grand Duke of Oldenburg, thanking His Royal Highness for the motion made by his order in the Federal Diet on the 30th of April last, to the effect that Denmark, having virtually repudiated the conditions of the peace, Germany ought not any longer to hold herself bound by those conditions. I am informed that above a hundred of such addresses, with more than two thousand signatures thereto, have reached the Grand Duke from the towns of Kiel, Altona, Rendsburg, Neustadt, Segeberg, Wandsbeck, Elmshorn, Glückstadt, Barmsted, Pinneberg, and Heiligenhafen, and from the district of Dithmarschen in Holstein, as well as from several places in Schleswig, notwithstanding the severity of the police restrictions, which are enforced in the last-mentioned Duchy. As a specimen of the tone of these addresses, I have the honour to annex a copy (in translation, of the address which was forwarded to Oldenburg from the town of Kiel. The Grand Duke, who is now at his castle of Eutin (an Oldenburg *enclave*, locally situated in Holstein), takes, as is well known, a very lively interest in the affairs of the Duchy.

Two or three of the Holstein nobility have, as I understand, disapproved of these addresses; but there can be no doubt that they express the feelings which mostly prevail in the Duchy, and that they are not less in consonance with the views of the liberal and constitutional party in Prussia and other parts of Germany. The inclosed report of the proceedings of a meeting lately held at Coburg on this subject, explains concisely what it is that the friends of the Schleswig-Holstein cause in Germany are now aiming at, and shows the error which the Danish Government has committed in refusing to comply with the mediatory advice of the Great European Powers, and in resorting to such extreme measures as the compulsory isolation of Holstein by its Ordinance of the 30th of March.

I have, &c.

(Signed) J. WARD.

Inclosure 1 in No. 79.

Address from the Inhabitants of Kiel to the Grand Duke of Oldenburg.

(Translation.)

Most serene and powerful Grand-Duke and Lord.

YOUR Royal Highness has often already by word and deed designated the position which you take in the Schleswig-Holstein affair, and has thereby made known that high sense

of right and of fatherland, which the German people are entitled and bound to demand of their princes. We could therefore confidently expect that the wisdom of your Royal Highness would also in the latest phase of the affairs of our country recognise with a sure glance the path to follow which both right and statesmanship so urgently demand of us. Our expectation has not been deceived. By the motion made in the Federal Diet on the 30th of April, your Royal Highness has taken the only course compatible with the honour of Germany, and by pursuing which the national independence of Schleswig-Holstein can alone be preserved from a disgraceful fall. The people of the Duchies greet this motion with unmixed joy, hoping that it will be impossible for the majority of the German Governments to resist any longer the force of the considerations which require the entire restoration of the constitutional rights of Schleswig-Holstein as the only solution of a debt long withheld. The German people owe their thanks to your Royal Highness; but it belongs first to the inhabitants of Schleswig-Holstein to express in words the thought of the nation. In this sense we most respectfully approach your Royal Highness with our request that you will be pleased graciously to receive the acknowledgments and thanks which we hereby offer to your Royal Highness in the name of ourselves and of our countrymen.

Inclosure 2 in No. 79.

Extract from the "Coburg Gazette" of May 20, 1863.

(Translation.)

A MEETING was held to-day in the Schützenhaus here of patriotic men, for the discussion of the Schleswig-Holstein question. The principal speaker was the Privy Councillor of State, Dr. Francke. On his motion, the following Resolutions were adopted:—

The inhabitants of Coburg assembled here this day express their opinion of the Schleswig-Holstein affair as follows:

1. The agreement of 1851-52, so often violated by Denmark, is no longer binding on Germany.

2. The London Protocol of May 8, 1852, on the succession, never recognised by the Germanic Confederation, ought to be considered as not existing. The Duchies of Schleswig and Holstein stand towards Denmark only in the relation of a personal union.

3. The Duchies of Schleswig and Holstein have a right to be re-united upon the basis of their constitutional law of September 15, 1848, issued under the authority of the Germanic Confederation.

4. The Resolution of the Federal Diet of September 17, 1846, and the 3rd Article of the Peace of July 2, 1850, ought to serve as the basis of any negotiations with Denmark, and of any further measures against her.

5. The energetic defence of the rights belonging to Germany and our unfortunate brothers of the same race in the Duchies, is a moral and political duty of the German nation.

No. 80.

Mr. Corbett to Earl Russell.—(*Received June* 15.)

My Lord, *Frankfort, June* 12, 1863.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch addressed to Sir A. Malet of the 9th instant, respecting the threatened Execution in Holstein, and in obedience to your Lordship's instructions I have communicated a copy of it to the President of the Diet.

I also offered to give Baron Kübeck a copy of your Lordship's despatch addressed to Lord Bloomfield and Sir Andrew Buchanan, on the same subject, which Sir A. Malet had already read to his Excellency. Baron Kübeck, however, was disinclined to receive

it as, he said, if I gave it to him as a written official communication, he would be obliged to lay it before the Diet, and thus give occasion for further discussion and delay in the production of the Report of the Committees. As I was only instructed to give a copy to his Excellency, "if he wished it," I did not feel myself at liberty to press it upon him. With regard to your Lordship's despatch of the 9th instant, Baron Kübeck said that he should consider it a confidential communication.

In answer to my inquiry, as to the object of the course intended to be pursued towards Holstein, and the grounds upon which a Federal Execution in that Duchy could be justified, his Excellency said that the Report of the Committee, when laid before the Diet, would be accompanied by the most ample and detailed reasons for the course they would recommend for adoption, and he showed a disinclination to give any information on the subject at this moment.

Baron Kübeck repeated, almost word for word, the arguments he made use of to Sir A. Malet, as reported in his despatch of May 30 last, and repeatedly expressed his hope that Her Majesty's Government would use their great influence at Copenhagen to induce the Danish Government to give way, and not persist in upholding the terms of the Declaration of March 30 last. He also laid great stress upon the necessity that existed to give satisfaction to the strongly-expressed public feeling of Germany on this matter.

I have, &c.
(Signed) EDWIN CORBETT.

No. 81.

Mr. Corbett to Earl Russell.—(Received June 15.)

My Lord, *Frankfort, June* 12, 1863.

AT the usual sitting of the Diet yesterday no business of importance or general interest was discussed.

The Report of the United Committees appointed by the Diet, to which the proposition of Austria and Prussia was referred, has not yet been presented to that body, though I have been informed, on good authority, that it is drawn up and in the hands of the members of the Committee, for reference to their respective Governments before its final adoption; and there appears to be no doubt that the conclusion will be in favour of an Execution in Holstein.

There is a general impression here that your Lordship's identic despatch, addressed to Lord Bloomfield and Sir Andrew Buchanan, deprecating a Federal Execution in Holstein, has not been without considerable influence in causing this delay, and inducing the Committee to act with the greatest deliberation and circumspection in the matter.

It is doubtful whether the above-mentioned Report will be laid formally before the Diet even at its next sitting on the 18th instant.

I have, &c.
(Signed) EDWIN CORBETT.

No. 82.

Mr. Corbett to Earl Russell.—(Received June 22.)

(Extract.) *Frankfort, June* 19, 1863.

I HAVE the honour to inclose to your Lordship a copy of the Report of the joint Committees appointed by the Diet to examine the proposals of Austria and Prussia with regard to the Danish Duchies.

The Chairman of the Committee, Baron von der Pfordten, laid this document before the Diet at its weekly sitting yesterday, and copies of it were distributed to the members to enable them to consult their respective Governments during the period of three weeks which are to elapse before the Report is finally brought up for adoption or rejection by a majority of votes.

I am compelled, to avoid delay, to omit sending a translation to-day, but shall not fail to do so as soon as I can have one prepared. I content myself with forwarding by this opportunity a translation of the motives, and the conclusion of the Report.

It is stated in the motives for the course of action which is now recommended by the Committee :

1. That the Danish Government has not complied with the various requisitions addressed to it on the part of the Diet, and has, by the Proclamation of 30th March last, manifested an intention not to do so as regards Holstein and Lauenburg.

2. That by the above-mentioned Proclamation it has endeavoured to place the Duchy of Holstein in a position incompatible with the promises made at the time the Diet suspended its action in July 1852, and suffered the country to return to its allegiance to the King of Denmark.

3. That the Proclamation of March 30 is, further, in complete disaccord with the promises made, at various times, not to incorporate Schleswig with the Kingdom of Denmark, or to take any steps having such a tendency.

4. That in case the King of Denmark persists in maintaining the terms of the said Proclamation the Diet will, as regards Holstein, feel itself under the necessity of resuming the proceedings in regard to a Federal Execution in that Duchy, in accordance with its Resolution of August 12, 1853, and, as regards Schleswig, to employ the means requisite to enforce the rights acquired by international agreement.

5. And lastly, it is declared that the Diet consider the terms proposed to the Danish Government by your Lordship in September last would form an acceptable basis for the settlement of the question.

For the foregoing reasons the Committee recommended :

1. That the Danish Government should be required to declare the Proclamation of March 30 null and void, and to announce formally to the Diet, within six weeks, that the preliminary steps had been taken for the institution of a new homogeneous Constitution for the Kingdom and the Duchies, either in accordance with the engagements taken in 1851-52, or on the basis proposed by Her Majesty's Government in September last.

2. That notice of this resolution should be given to the Ducal Governments as regards Holstein and Lauenburg through the Danish Minister at the Diet ; and

3. As regards Schleswig through the Austrian and Prussian Ministers at Copenhagen.

4. And, finally, that the united Committees should be empowered to discuss and propose further measures in case the above-mentioned demands should not be complied with on the part of the Danish Government.

After the Report had been communicated to the Diet, Baron Dirchinck de Holmfeld, the Danish Minister, protested in the name of his Government against the assertions contained in it, and the conclusion drawn from them, and particularly insisted that the Proclamation of the Danish Government of the 30th March had been entirely misunderstood and wrongly interpreted, especially in those parts which related to the financial question as regards Holstein, and further, M. Dirchinck reserved all the rights of his Sovereign in the matter.

To these observations no answer was formally made, though I am given to understand that M. von der Pfordten has privately acknowledged in some degree their justice.

M. Dirchinck inquired, from the President, if Her Majesty's Government had made any communication to him relative to this matter, and his Excellency stated that your Lordship's despatches had been confidentially communicated to him, and that he had received a copy of one of them (your Lordship's despatch of the 9th instant), and laid it before the united Committee, but his Excellency seemed disposed to treat the communication as one of an informal character, inasmuch as it was not accompanied by a note from Her Majesty's Mission, in which case it would have been incumbent upon him to lay it officially before the Diet, and this, as I had the honour to state in my despatch of the 12th instant, M. Kübeck, when I communicated the despatch to him, seemed very unwilling to do. There can be no doubt, however, that the opinion of Her Majesty's Government, as expressed in the two despatches above-mentioned, has had a very important effect upon the deliberation of the Committees, and has materially aided in inducing the separation of the question as regards Holstein from that of Schleswig, the first of which it is not disputed the Diet has a right to interfere in ; whereas the other is of an international character, and one which the Diet cannot pretend to decide without reference to other Powers.

I have, &c.

(Signed) EDWIN CORBETT.

Inclosure 1 in No. 82.

Report of the Committee appointed on the 29th October, 1857, and of the Committee of Execution, with reference to the Constitution of the Duchies of Holstein and Lauenburg.—(Presented at the 19th sitting of the Diet in 1863.)

(Translation.)

WHEN the Assembled Diet, by a Resolution of the 29th July, 1852, declared its acceptance of the agreement made by the Governments of Austria and Prussia in the name of the Germanic Confederation, with the Government of Denmark and the Duchies of Holstein and Lauenburg, it did so in the conviction that the preceding differences would be thereby definitively settled; and in the expectation that a constitutional condition, both of the Monarchy at large as well as its constituent parts in particular, satisfactory to all parties, would be re-established on the basis of the Proclamation issued by His Majesty the King of Denmark on the 28th of January, 1852.

This expectation has, unfortunately, not been realized.

In contradiction to the assurances given in the course of the negotiations of 1851 and 1852, as well as to the general obligation founded upon Article LVI of the Final Act of Vienna, imposed upon all the Confederate Governments, the Danish Government, on the 2nd October, 1855, issued a Constitution for the whole Danish Monarchy, without having first taken counsel with the Estates of the Duchies, and, moreover, at variance as to its tenour with the engagements entered into. The grievances and debates thence arising led to the Resolutions of the Diet of the 11th and 25th February, 20th May, and 12th August, 1858, in consequence of which the Danish Government, on the 6th November, 1858, issued three Patents, whereby the Constitutional Edict of the 2nd October, 1855, and sections 1 to 6 of the Ordinance of the 11th June, 1856, in so far as it affects the Duchy of Holstein, as also the Proclamation of the 23rd June, 1856, were abrogated in respect of the Duchies of Holstein and Lauenburg, but at the same time further negotiations entered into with the Provincial Estates with a view to a definitive constitutional settlement.

These three Royal Patents having been communicated to the Diet at their sitting of the 11th November, 1858, by the Ambassador of the Kingdom of Denmark and Duchies of Holstein and Lauenburg, the Diet resolved, on the 23rd December, 1858, temporarily to suspend the proceedings commenced by their Order on the 12th August of the same year, but at the same time to charge the combined Committees to report further as to the result of the then pending negotiations with the Estates, or, if needful, whilst such negotiations were being carried on.

Such Report became requisite in consequence of the Royal Patent for the Duchy of Holstein of the 23rd September, 1859, containing certain temporary Regulations with a view to securing the interests of that Duchy whilst treating of common interests; and further, in consequence of a note of the Ambassador of the Kingdom of Denmark and Duchies of Holstein and Lauenburg to the combined Committees dated the 2nd November, 1859, in which the said Patent was more clearly defined, and the further steps intended for the final settlement of the Constitution were set forth. With respect hereto the Assembled Diet resolved, on the 8th March, 1860, that although they failed to see in the measures of the Government a fulfilment of the obligations fixed by a Resolution of the Diet of the 11th February, 1858, yet, under certain clearly-defined conditions, they were willing further to abstain from the proceedings of the Diet already entered upon by virtue of a Resolution of the 12th August, 1858.

In contradiction with these conditions the State Budget determined by Royal Rescript of the 15th May, 1860, for the financial year from the 1st April, 1860, to the 1st April, 1861, was published by the Legal and Ministerial journal for the Duchies of Holstein and Lauenburg on the 3rd July, 1860, and enforced without having been set before the Estates of the said Duchies for their sanction.

The Royal-Ducal Government sought, it is true, to justify this proceeding by reference to a Royal Patent of the 25th September, 1859, relating to the contribution of the Duchy of Holstein to the Budget for general purposes. But after a minute examination into the facts, the assembled Diet passed on the 7th February, 1861 (Protocol, section 45), the following resolutions:—

1. That they cannot consider the Patent issued by the Royal-Ducal Government on the 25th September, 1859, together with all further ordinances with regard to the

Budget of the Duchies of Holstein and Lauenburg as valid, so long as they ar without the consent of the Estates; that accordingly the Budget for the financia year beginning the 1st April, 1861, up to the current financial period, could not be determined without the consent of the Estates of the two Duchies.

2. That they demand an express declaration from the Royal Ducal Government, that the regulations fixed in Nos. 1 c, 1 and 2, of the Resolutions of the Diet of the 8th March, 1860, provisionally, shall be duly carried out.

3. That in case such a declaration be not given in a perfectly reliable manner within six weeks on the part of the Royal-Ducal Government, they will resume the proceedings taken in accordance with the Resolution of the 12th August, 1858.

The herein demanded declaration was not given by the Royal-Ducal Government.

Within the fixed term, however, a communication was made at the sitting of the 16th March, 1851 (Protocol, section 76), that His Majesty the King had by a Patent of the 19th February summoned the Holstein Estates to an extraordinary meeting and had proposals set before them which on the one hand affected the special constitution of the Duchy, on the other its position as to the common interests of the Monarchy.

The assembled Diet hesitated to carry out their Resolution of the 7th February forthwith, hoping the negotiations just entered into between the Government and the Estates would have a favourable result. This hope, however, was not realized, as was proved at the same time by a memorial presented by the President and Secretaries of the Holstein Estates assembled on the 11th April, and by a declaration made by the Royal-Ducal Ambassador in the sitting of the 27th April, 1861 (Protocol, section 113).

In consequence hereof the combined Committee were engaged in the preparation of fitting propositions to the Assembled Diet for the fulfilment of their Resolution of the 7th February, 1861, when they were confidentially informed that negotiations were pending, to await the result of which seemed desirable.

In fact the Royal-Ducal Government presented a declaration to the Governments of Austria and Prussia, under date of the 29th July, 1861, to the effect that it would abstain from requiring for the present for the current year an extraordinary subsidy from the Duchy of Holstein, levied upon its special income, over and above the quota fixed in the normal Budget of the 28th February, 1856, and that general laws bearing upon the Duchy of Holstein had not been passed, nor were such laws contemplated since the Resolution of the Diet of the 7th February. Of this the Ambassadors of Austria and Prussia gave notice to the combined Committee, with the observation that their respective Governments reserved to themselves the making of further communications with regard to the further progress of the matter.

The Committees, however, gave notice hereof in the sitting of the 12th August, 1861 (Protocol, section 242), remarking at the same time that they did not deem it fitting at present to propose any further measures in prosecution of the Resolution of the Diet of the 7th February, whereto the Assembled Diet silently gave consent.

Since that period manifold negotiations have taken place. These, however, have not led to the desired result. Nay, in the course of the same there has been brought to light repeatedly a serious divergency of views, not only as to the interpretation and scope of the agreements of 1851 and 1852, but even as to their legal nature and binding character, and the Royal-Ducal Government has even in the course of these years undertaken several acts of public law, which must be regarded as partly prejudicial and partly diametrically opposed both to the said agreements and to the Resolutions of the Diet.

Under these circumstances the combined Committees consider it their duty to furnish a circumstantial report of the whole course of the negotiations since the said notice of the 12th August, 1861, as also of the actual condition, but at the same to declare their views as to the proper steps for maintaining the right, and as to a final settlement of the Constitution in a manner satisfactory to all parties.

I. Concerning the first stage of the confidential negotiations carried on by the Governments of Austria and Prussia with the Royal-Ducal Government, the Combined Committees reported at the sitting of the 13th March last (Protocol, section 94).

In pursuance of the communications then made, the Ambassadors of Austria and Prussia communicated to the combined Committees on the 23rd October last and 8th January, 1863, the following documents, which are placed before the Assembled Diet unabridged annexed (*vide* Appendices 1 to 5.)

1. A despatch from the Royal Danish Minister for Foreign Affairs M. Hall sent in identical form on the 12th March, 1862, to the Royal Ambassadors in Vienna and Berlin respectively, Count Bille-Brahe and Chamberlain Quaade.

2. A Memorandum from the Imperial-Royal Austrian Cabinet, in reply to the above despatch.

3. A despatch from the Royal Prussian Minister for Foreign Affairs, Count de Bernstorff, to the Royal Ambassador in Copenhagen, M. de Balan, of the 22nd of August, 1862.

The two last-named documents were, upon a mutual approval of their main contents as to the legal claims therein addressed to Denmark, presented by the respective Ambassadors of Austria and Prussia to the Royal Danish Minister for Foreign Affairs on the 26th August, 1862.

4. A despatch from the Minister Hall to the Royal Danish Ambassador in Vienna, M. de Bülow, of the 6th November, 1862, together with a Memorandum.

5. A despatch from the same Minister to the Royal Danish Ambassador in Berlin, Chamberlain Quaade, of the 6th November, 1862.

On their communication of these documents, which constitute the close of the negotiations, the two Ambassadors observed that their respective Governments promised themselves no success from a continuance of their direct negotiations in writing with the Royal Danish Government. Nor is it possible to avoid sharing these views upon a consideration of the course of the said negotiations.

Both the German Cabinets proceeded upon the persuasion that the basis of a settlement could be found only in the Conventions of 1851 and 1852.

They reminded the Royal-Ducal Government of the obligations then accepted, not only as regards Holstein, but also as to the Duchy of Schleswig; whilst insisting that a definite regulation could be brought about only by a granting of the promised parity of the various constituent parts of the Monarchy, and an avoidance of any incorporation of the Duchy of Schleswig with the kingdom, as well as of any proceedings having a tendency thereto (despatches of the 30th November and 5th December, 1861).

On the other hand, as already set forth in the Report of the Committees of the 13th March, 1862 (Protocol, section 94), the Danish Minister refused to enter into negotiations concerning all the points involved in the Conventions of 1851 and 1852, and especially concerning the affairs of the Duchy of Schleswig, forming, as they did, an integral portion thereof; and expressed himself in such manner as to leave it in doubt whether the Royal Government still recognized the pledges given in 1851 and 1852 as of a binding character, in particular as regards Schleswig, and would accept such recognition as the basis of further negotiations (despatch of 26th December, 1861).

It is true that the Danish Minister replied to the definite inquiry addressed to him with a view to resolve these doubts by the German Cabinets, that the Royal Government, as a matter of course, would conscientiously fulfil every obligation it had undertaken; but at the same time positively refused to bring the Duchy of Schleswig within the scope of the negotiations, because, in the present instance, there was a question of a settlement of a difference with the Germanic Confederation concerning a country appertaining thereto, whereas the Danish Duchy of Schleswig was in no way subject to the competence of any legal rights on the part of that Confederation. Accordingly, that if the Royal Government could allow of the present negotiation being diverted from its proper channel, it could not, on the other hand, restrain the German Powers from returning to this question in a fitting manner; that the views of the Royal Government thereupon were known from the correspondence of 1860, views by which, in the main, it would still abide (despatches of the 8th February and 12th March, 1862).

Hereupon the German Cabinets pointed out how baseless was the assertion that the Germanic Confederation sought to extend their legal competency to a country not appertaining thereto, and how unjustifiable it must therefore be considered on such a pretext to decline any negotiation with the Diet concerning the Duchy of Schleswig, and even that resting upon an accepted basis, bearing, as it did, an international character, and endeavoured, as the Danish Government would not enter upon a consideration of the actual contents of the said Conventions, to elucidate the same from their point of view, and to set forth the claims resulting therefrom. They therein proceeded from the principle that those Conventions grant an independent co-ordinate position to the various constituent parts of the Monarchy as to their particular interests, and promise for general interests an

organic and co-equal combination of the same into one whole, wherein no one part was to be subordinated to or incorporated with any other; and from this principle they drew the deduction, both as to Holstein and Lauenburg, as well as Schleswig, which assumes the guise of just claims upon the Danish Government (documents of 26th August, 1862).

In the replies of the Royal Danish Minister, the distinct declaration is made with regard to the Conventions of 1851 and 1852, that they afforded no basis for international obligations and rights, but simply proclaimed intentions of the Royal Government; whilst, with reference to the Royal Patent of January 28, 1852, it is further said, that its contents, in so far as it had not been expressed in the previous correspondence on the part of Germany, as a wish must be considered equally unaffecting Germany, whether it concerned the one or the other part of the Monarchy. For the support of these propositions very circumstantial explanations are entered into, as to the sense and significance of the negotiations of 1851 and 1852; at the same time adding that the question was much too important to be decided by the interpretation of a few more or less distinct expressions in a diplomatic correspondence, for that it was the very essence of a sovereign State to regulate, according to its own conception and special need, its Constitution and Administration—the most important conditions of an individual existence! (Despatch of November 6, 1862.)

The Cabinets of Vienna and Berlin did not deem fit to answer once more these declarations of the Royal Danish Minister, and the assembled Diet will have no cause to refuse their approval of this resolution. When further measures in this execution of the Resolution of the Diet of the 7th February, 1861, in view of the Declarations of the Royal Ducal Government of the 16th March and 29th July, 1861, and in expectation of the promised confidential negotiations, were suspended, such a course was prompted by no other motive than the wish to suffer no means that might offer for a peaceful settlement to be unemployed, and the hope that in those declarations there was the basis, and in the confidential negotiations the most fitting form, for such a settlement.

Not only has this hope not been realized, but in the course of the interchange of notes a much greater divergency of views has come to light than ever before, and the Royal Danish Minister for Foreign Affairs at last adopted a point of view in presence of which a confidential negotiation could no longer be continued without prejudicing those rights acknowledged by Treaty pertaining to the Germanic Confederation, but which had been so positively disputed.

II. To a declaration as to the futility of the direct negotiations in writing on the part of their respective Governments with the Royal Danish Government, the Ambassadors of Austria and Prussia added the communication that, by reason of these negotiations, as to the mode of regarding the question on the part of the non-German Great Powers, and their position towards the whole affair, a result had been obtained the appreciation of and regard to be paid to which must be left to the Diet. At the same time they presented to the Combined Committees the following documents, which the latter bring annexed (*vide* Appendices 6 and 8), unabridged, to the knowledge of the assembled Diet:—

1. A despatch from Earl Russell, Her Britannic Majesty's Chief Secretary of State for Foreign Affairs, dated September 24, 1862, in identical form to the Chargé d'Affaires in Vienna and Berlin;

2. A rescript, with reference to the above despatch, from the Royal Prussian Minister of Foreign Affairs, M. de Bismarck, to the Prussian Envoy in London, Count de Bernstorff, dated October 27, 1862;

3. A rescript on the same subject from the Imperial Austrian Minister of Foreign Affairs, Count Rechberg, to the Imperial Austrian Envoy in London, Count de Wimpffen, dated October 29, 1862.

If the proposals of Earl Russell referred only or more especially to Holstein and Lauenburg, they would not be calculated to be brought before the Assembled Diet, and deliberated upon by them. For the constitutional questions relating to these two Duchies, as such, are purely an affair of the Diet, with reference to which the Assembled Diet has always maintained its exclusive competence, and which it could on no account resign, or consent to any limitation of.

But Her Britannic Majesty's Secretary of State has himself expressly recognized this principle, and his proposals affect principally the Duchy of Schleswig and the Constitution of the Danish Monarchy in its totality.

These proposals turn, therefore, upon international rights, and may be taken into consideration by the assembled Diet without any detriment to its competency. To such consideration the Diet will be the more disposed, seeing that the said proposals proceed from a Minister of a Great Power with which the Germanic Confederation has always stood upon the best footing, and indubitably resulting from unprejudiced views, kindly disposed towards all parties concerned, and inspired by a sincere desire to aid in a peaceful settlement.

The proposals of Earl Russell proceed also from the obligations which Denmark undertook in the year 1852 towards the Diet as to Schleswig, designate as such that Schleswig is not to be incorporated with Denmark, and that the Germans in Schleswig should be treated on an equal footing with the Danes, and find the means for the removal of all complaints as to the violation of those obligations, in the granting of complete autonomy to Schleswig.

With regard to the General Constitution, Earl Russell acknowledges that the Constitution of 1855 is not valid in Holstein, Lauenburg, and Schleswig, and thinks that the principal difficulties would be removed by the bringing forward of a normal Budget. Accordingly his proposals for mediation are included under the four following points:—

1. Holstein and Lauenburg obtain the institutions demanded on their behalf by the Germanic Confederation.

2. Schleswig receives the right of administration, and is not to be represented in the General Council.

3. A normal Budget is to be agreed upon between Denmark, Holstein, Lauenburg, and Schleswig.

4. Every extraordinary expenditure is to be brought for sanction before the Danish Representatives and the special Estates of Holstein, Lauenburg, and Schleswig.

For the carrying out of these points of principle, the despatch of Earl Russell points out certain measures, especially the voting of the normal Budget in its totality every ten years, the appropriation of its separate items from year to year by a State Council, composed two-thirds of Danes and one-third of Germans.

In their replies to these suggestions of Earl Russell, the Cabinets of Vienna and Berlin have concurrently pointed out that the proposals made do not quite accord with the Conventions of 1851 and 1852, and have therefore reserved, on behalf of the Diet, all its rights as well as its unfettered judgment; at the same time, however, they have expressed their opinion that the proposals contained in the above four points involve a suitable and just basis for a mutual understanding, and may lead to the definitive settlement of the German-Danish affairs, if accepted without reserve by the Royal Danish Government, and completely and sincerely carried out.

This presumption has proved unfounded. It is notorious that the Royal Danish Government has positively rejected the proposals of the British Cabinet. Under these circumstances the Reporting Committees do not consider the time as arrived to deliberate upon these proposals singly, deeming it fitting, both out of consideration for the Governments of Austria and Prussia, and the friendly efforts of the English Cabinet, that the assembled Diet should at least in general express its views as to that attempt at mediation.

In this respect it is certainly not to be mistaken that the proposals of Earl Russell in many particulars, and especially in the composition and working of the State Council, do not quite correspond with the Conventions of 1851 and 1852, and the assembled Diet will therefore not fail to consider the reservations made by the Cabinets of Vienna and Berlin as well grounded, and to confirm the same.

On the other hand, the view may be concurred in, that the rights and interests which the assembled Diet has to defend in this matter might be effectually preserved by a complete and sincere carrying out of the four points laid down by the London Cabinet; and the Reporting Committees think fit to recommend to the adoption of the assembled Diet a resolution to that effect. They would hereby express their recognition of the conduct of the two chief constituent Governments of the Confederation in the course of the confidential negotiations now brought to a close, but at the same time leave every possible way free to a peaceful settlement of the matter, and once more afford the Danish Government, in a friendly way, an inducement to pursue the same, thereby remaining true to that spirit of moderation and placability which has prompted all their resolutions.

III. It has already been said that the Royal-Ducal Government during the last

few years has committed many legal public acts, which must be considered as partly prejudicial, partly diametrically opposed to the Conventions of 1851 and 1852, as well as the Resolutions of the Diet.

Two acts of this sort have already been subjects of discussion and resolution on the part of the assembled Diet in the course of last year. These were two projects of law which the Royal Danish Government had presented to the State Council assembled in Copenhagen on the 25th of January last year, containing a more exact definition of section 27 of the Constitutional Law of the 2nd October, 1855, together with certain alterations and additions to the said law.

Concerning these two projects of law, the Reporting Committees have presented a statement at the sitting of the 13th March, 1862 (Protocol, section 94); and the assembled Diet recognized that those projects aimed at a material alteration of the position of the Duchy of Schleswig in the Monarchy at large. They therefore, by Resolution of the 27th March, 1862 (Protocol, section 114), joined in the protest which the Governments of Austria and Prussia had presented in identical notes of the 14th February, 1862, and this protest was, by their request, on the 15th April, 1862, communicated through the Ambassadors of Austria and Prussia in Copenhagen, to the Royal Danish Minister for Foreign Affairs (Protocol of the 1st May, 1862, section 132.)

A series of other acts of the character above designated may be found in the negotiations of the Royal-Ducal Government with the State Council at Copenhagen, and with the Provincial Estates of the Duchy of Holstein. To this especially refers the Memorial of the Holstein Estates of the 19th March, 1863, with twenty-one Appendices, brought forward in the sitting of the 16th April last (Protocol, section 104), and referred to the combined Committees.

These compendious Acts having been already distributed in print to all the members of the assembled Diet, the Reporting Committees do not deem it needful to do more than simply to refer to the same.

It cannot be the intention to bring to discussion the whole details referring hereto. But the Reporting Committees think it their duty to limit it to the following specially important and striking facts:—

1. By virtue of the three Imperial Resolutions of the 27th April, and the 4th and 29th October, 1861, the Minister of Finance was empowered to apply as extraordinary supplies for the War and Marine Departments beyond the amount of the normal Budget 2,564,000 rix-thalers, and in like manner for divers palaces and other buildings, 30,000 rix-thalers, and to take 2,397,000 rix-thalers hereof from the reserve fund of the Monarchy.

These Resolutions were passed by virtue of section 34 of the Law of the Constitution of the 2nd October, 1855, and brought before the Danish State Council at its sitting of the 29th January, 1862, for its subsequent sanction. (*Vide* "Rigsraadstidende," vol. ii, No. 34, page 763.)

The sanction of the Assembled Estates of Holstein was neither previously nor subsequently sought thereto. But that those amounts were actually expended out of the common Reserve Fund of the Monarchy is evident from the statement of expenditure for the financial year 1861-62, published by Royal Edict of the 2nd of October, 1862, which is reprinted in the legal and Ministerial journal for the Duchies of Holstein and Lauenburg, Article 26 of the 6th November, 1862. From this account it is further evident that from the common Reserve Fund not only the above 2,397,000 rix-thalers, but altogether 2,934,000 rix-thalers were taken, and that besides the whole common funds of the Monarchy to the amount of 1,841,832 rix-thalers has been applied to expenditure in the determining of which the Holstein estates had had no share.

Accordingly in the course of the financial year 1861-62 a sum total of 4,775,898 rix-thalers has been expended from the common fund and reserves of the Monarchy without the participation and consent of the Estates of the Duchy of Holstein, to which pretty nearly a fourth part of the above amount might be considered as belonging.

A reference to section 54 of the Constitutional Law of the 2nd October, 1855, cannot, of course, make up for the absence of any participation on the part of the Estates, as that law is not valid as to the Duchy of Holstein.

It needs no elaboration to prove that this expenditure of Holstein moneys beyond the normal Budget without the sanction of the Estates is in contradicton to the Resolutions of the Diet of the 8th March. 1860, and 7th February, 1861. For the first named Resolution determines that during the interim no law on common

interests, and more especially in matters of finance shall be passed for the Duchies unless it have obtained the sanction of the Estates, as the Diet could not consider as legally binding upon the Duchies any Ordinances in contradiction hereto.

But the resolutions and orders for payment in question are indubitably Ordinances of that character.

The Resolution of the Diet of the 7th February, 1861, repeats the determination just named, and further sets forth expressly that the financial year commencing with the 1st April, 1861, cannot be fixed without the assent of the Estates of the two Duchies. But in that identical financial year about 1,000,000 thalers Holstein money was expended by the Government without the consent of the Estates. These enactments are, moreover, incompatible even with the declaration of the Royal Danish Government of the 29th July, 1861, and throw a curious light upon the views of the Royal Government upon the issuing and carrying out of this declaration in confidence, wherein alone confidential negotiations were entered upon, and the proceedings in fulfilment of a Resolution of the Diet of the 7th February, 1861, suspended. In that declaration the following passage was to be found verbatim:—

"That for the current financial year the contribution of the Duchy of Holstein from its separate income to the common Budget of the Monarchy should be provisionally limited, as to the quota of Holstein, to the sum stated in the normal Budget of the 28th February, 1856, as to the total amount to be supplied by each separate portion of the country from its special sources of income, the principal motive for the Diet's further proceedings in the way of Execution being hereby removed, seeing that no general laws applicable to the Duchy of Holstein had been promulgated since the Resolution of the Diet of the 7th February, 1861, nor were such at present in contemplation."

Among these general laws it is clear, in connection with the above named Resolution of the Diet, laws in financial affairs, and consequently Ordinances affecting the common funds of the Monarchy, must have been meant, the more so since else the whole declaration had been almost meaningless, and failed of obtaining the object designed. The Royal Danish Government hesitated to make the declaration demanded by the Diet in its Resolution of the 7th February, 1861, as a definitively binding one, as a recognition of a permanent legal right, at the same time that Government was prepared actually to comply with those demands as to the financial year 1861-62, in order to gain scope for negotiations.

In fact, it was only on the assumption that the actual condition during the said year would prove to correspond completely with that which the Diet had claimed as founded in right, that a suspension of their proceedings and a confidential negotiation were possible.

In this sense the declaration of the Royal Danish Government was generally understood, and no one doubted that it had been made in this sense and would be carried out. In this sense only could it be meant when the Royal Danish Minister Hall, in a circular despatch of the 8th May, 1862, designated that Declaration as a sacrifice made at the desire of friendly Powers.

The actual conduct of the Royal Danish Government, however, was of a totally different character. Scarcely had the Declaration of the 29th July, 1861, been made, when the above-mentioned Royal Resolution of the 27th April, 1861, evidently a general law, was published, and later followed those of the 4th and 29th October, 1861, and the continued expenditure out of common funds without any participation of the Holstein Estates. With such interpretation and mode of action, the Royal Danish Minister Hall might well give the assurance, as he did at the sitting of the State Council of the 15th April, 1862, that on account of the concession of the 29th July, 1861, not a farthing less had flowed into the coffers of the State, and the Ministerial press might say that the supposed concession was a mere formality—a mere question of book-keeping.

At the same time, the combined Committees deem it right to call the attention of the assembled Diet to the fact that in the Royal Resolutions of the 27th April and 29th October, 1861, the necessity of these measures is urgently insisted upon for the development of the means of defence, "especially because of the pending difference with the Germanic Confederation."

Thus the moneys belonging to the Confederate land of Holstein, in contradiction with the Royal Declaration of the 29th July, 1861, have been applied, without the assent of the Holstein Estates, in order to arm for opposition to the rights of Holstein and the Confederation.

Such proceedings have certainly as little practical significance in the settlement of the matters in dispute as the Declaration of the 29th of July, 1861, itself. The financial year 1861-62 has closed, the confidential negotiations have broken down, and the maintenance of right will have to be effected in some other way. Nevertheless the Combined Committees thought it their duty to place these facts in proper light.

This will serve to remove the misapprehension of those who may still be of opinion that the so-called propositions and concessions of 1861 were a proper basis for a settlement, or might still be treated as such.

These facts have, moreover, a practical significance as to the finances of the Duchy of Holstein, as already hinted in Appendix 8 A to the Memorial of the Holstein Estates of the 19th March, 1863, pp. 133 and 134.

The expenditure, amounting on the whole to about 1,000,000 thalers, out of the Holstein share of the common funds of the Monarchy for the financial year 1861-62, must be considered, in so far as they are not subsequently sanctioned by the Holstein Estates, as unjustifiable, and the sum in question will have to be made good to the special finances of the Duchy of Holstein in some way, but not out of the common funds of the Monarchy.

2. A series of projects of law have been set before the Danish State Council exclusively, and not also before the assembled Estates of Holstein, for examination and assent, especially as to the State accounts and the State debts, the levies for the land and sea military service, &c. This is in evident contradiction to the Resolution of the Diet of the 8th March, 1860, as under I, c, 2, the more since those projects of law for the most part refer to common interests. Further particulars on this subject may be found in the Appendix already quoted, the Memorial of the Estates, pp. 129, 130.

3. By a Royal Rescript of the 19th January, 1863, a series of projects of law were presented to the assembled Diet of Holstein upon common interests, especially also on the subject of finances, for their decision.

At the same time, however, it was expressly pointed out that the claims referring thereto of the Resolution of the Diet of the 8th March, 1860, were not considered as founded on right, and to the proposition itself, by a declaration of the Royal Commissary in the sitting of the 26th February, 1863, an interpretation was given, according to which it becomes opposed not only to the spirit of the said Resolution of the Diet, but also to the Conventions of 1851 and 1852.

For it is determined thereby that in all cases in which the Assembled Estates of Holstein do not agree to the Resolutions of the State Council, such Resolutions shall still be carried into effect, but without Holstein contributing its quota to the expenses. Herein would lie a virtual abolition of solidarity, and a violation of the equal rights of each single constituent country; but at the same time also an incorporation of Schleswig into a solidarity with the kingdom without Holstein prepared, which is even clearly visible in the project of law referring to the Customs and Navigation, as in this case the application of that idea would lead to the combination of Schleswig with the kingdom into one Customs territory, from which Holstein would be excluded. The object of the Conventions of 1851 and 1852, and all the Acts founded thereon, was not the abolition, but the lasting foundation, of a solidarity of all the co-ordinate parts of the whole Monarchy.

4. The most important Act in the direction above referred to is, in fine, the Royal Proclamation of the 30th March, 1863, which, on account of its special scope, craves special consideration, the more so as it has been officially communicated to the Assembled Diet.

IV. Under date the 30th March, 1863, a Royal Proclamation regarding the constitutional affairs of the Duchy of Holstein was issued and published in the Ministerial Law Journal of the Duchies of Holstein and Lauenburg, No. 5 of the 1st April, 1863. This Proclamation the Royal Danish Ambassador communicated to the Assembled Diet at its sitting of the 16th April, 1863, with an explanatory interpretation which was referred to the combined Committees (Protocol, section 101). These two documents being contained in the Protocol of the sitting, the repetition of the text here seems unnecessary.

In the explanation of the Ambassador there is designed as the object of the Royal Proclamation a desire to comply with the Resolution of the Diet of the 8th March, 1860, as far as possible, and to grant the Provincial Estates of Holstein from this time forth a regular legislative and consentive function as to the share of

Holstein in common affairs; whilst expression is given to the conviction of the Royal Government that the Assembled Diet will recognize in these measures the earnest intention, by the regard paid to the Resolution of the Diet, to obtain the settlement so long wished for.

With this declaration, however, the very commencement of the Royal Proclamation is, unfortunately, in contradiction.. It is said therein that those expectations have not been realized, though the intention expressed in the Royal Proclamation of the 28th January, 1852, was made dependent thereon. Herein, however, there is evidently no inclination to comply with the Resolution of the Diet, but rather an abandonment of the bases fixed by the Conventions of 1851 and 1852, to the carrying out of which all later Resolutions of the Diet have been directed. The Royal Proclamation of the 30th March, 1863, is so conscious of this that it adds, the responsibility for this devolves upon the Provincial Estates of Holstein and the Assembled Diet themselves. There needs no repetition of all the negotiations conducted for years past, in order to exhibit the groundlessness of this reproach. The proposals hitherto made by the Royal-Ducal Government have rightly been rejected by the Holstein Estates, as well as by the Assembled Diet, as being inconsonant with the rights of the country and the obligations by Treaty of the Royal Government; and the futility of the last Assembly of the Holstein Estates especially was attributable, as may be seen from the above representation sub III, to the incompatibility of the Government projects with those rights and obligations. The Assembled Diet itself has never placed other than well-founded demands before the Royal-Ducal Government, and insisted thereon with a moderation and patience which can only be mistaken, if they be considered from a point of view which regards any admonition as to international obligations as an interference with the internal affairs and the independence of a Monarchy. The Assembled Diet therefore justly forthwith, on a motion of the President at the sitting of the 16th April, 1863, entered a protest against the assertion that there had been any unjustifiable interference on their part.

If, even at the commencement, the Royal Proclamation of the 30th March last proved an infringement of the legal bases fixed in the years 1851 and 1852, this character is, unfortunately, but too evidently corroborated by its contents.

First, formally considered, attention must be drawn to the fact that a one-sided regulation of the constitutional interests of Holstein is to be undertaken by the Government without any co-operation on the part of the Duchy. It might appear, it is true, as if the Royal Proclamation were intended to contain only a programme, a plan for a constitutional law, but not legal determinations themselves; the more so since, both at the close of the Proclamation, and in a special Rescript of the same date addressed to the Minister for Holstein and Lauenburg, likewise published in the Ministerial and Legal Journal of the 1st April last,—there is a question of the elaboration of a project of a constitutional law, and of its being set before the Assembled Estates of Holstein for determination. But this project is to be elaborated on the very basis of the Ordinances contained in the Royal Proclamation, which are declared conclusive, in so far that Articles 1 to 4 are to be carried into effect on the 1st April, 1864, but Article 5 forthwith. That such a one-sided fixing of constitutional interests is equally opposed to the Royal Proclamation of the 28th January, 1852, and to the provisions of Article LVI of the Vienna Final Act, needs no further elucidation; it suffices, therefore, to refer to the Report of the Committee of the 14th January, 1858 (Protocol, section 19), and to the later Resolutions of the Diet relating to the abolition of the whole Constitution, dated the 2nd October, 1855. But the Royal Proclamation is at variance also especially with the provision of the Resolution of the Diet of the 18th March, 1860 (sub I, c, 2), according to which any Ordinance issued as to common interests without the assent of the Estates of the Duchies, must be regarded as invalid.

Thus, as to the Ordinances themselves, it seems necessary to examine them from a twofold point of view; first, as to their effect upon the Duchy of Holstein itself, and next as to their significance to the general Constitution, and the position of each single country, especially also of the Duchy of Schleswig in the same.

(A.) The Royal Proclamation seems at first sight to grant certain important rights to the Duchy of Holstein, which, as towards the point of view taken hitherto by the Royal Government, might be considered as concessions, and as the fulfilment of certain requirements of the Assembled Diet, such as the right of sanctioning subsidies to the items of the Normal Budget, and laws on common interests, as

also a separate administration of the finances, and an independent forming of the troops required as a contingent to the Confederation.

But a more minute examination shows that these concessions are not only illusory, but that they involve and are accompanied by highly important violations of right:—

1. The normal Budget of 28th February, 1856, was one-sidedly determined by the Royal Government in connection with the Constitution of October 2, 1855, but expressly only as a temporary one, till it should be finally fixed by law. As such a provisional state of things it has hitherto been regarded on all hands. But now it is to be fixed by Article 2 of the Royal Proclamation as definitive at least for Holstein; so that every participation in its settlement or later modification is to be withdrawn from the Estates of Holstein. This is equally at variance with the right of Resolution granted in the Royal Proclamation of the 28th January, 1852, and the clear provision (sub 1, c, 2) of the Resolution of the Diet of the 8th March, 1860, and appears the more unequitable and offensive if it be taken into consideration that the whole Budget has always been brought before the Danish State Council, and that it will be neither desired nor feasible to withdraw from them all participation in its settlement. What evils arise if only the supplementary votes are to be placed before the Holstein Estates, but the whole Budget before the Danish State Council, has already been discussed and recognized of late years during the negotiations of the Royal Commissary, Raaslöff, with the Holstein Estates.

2. The supplementary votes, in addition to the items of the normal Budget, are for Holstein, to be placed before the Holstein Estates for their assent. Article 2, paragraph 3, so determines, without however adding whether this is to be understood of the supplementary votes out of the special finances of the Duchy, or also out of the common receipts and funds of the kingdom. The deep significance of this point is clear from what has been said above, sub III, No. 1, upon the Royal Resolutions of the 27th April, and the 4th and 29th October, 1861, and their carrying out.

The distinction between a fixed normal Budget and supplementary votes depended upon the assent of Estates, has only real and full value in case every such vote, whether out of the common or out of the particular funds of the Duchy of Holstein, be made dependent upon the assent of the Estates, and without this no partial subsidiary expenditure can take place out of the common funds. The first named supposition lies, it is true, in the sense of the Royal Proclamation according to the explanatory declaration of the Ambassador, but not the second. For it sets forth only that the supplementary votes require the assent of the Estates out of the share of the Duchy in the common income or out of the special income of Holstein, and hints at the possibility, in case of a refusal of this assent, of a dissolution of community, that is to say, in such a case the payment of the supplementary votes out of the shares of the other parts of the country. But this conception is indisputably at variance with the legal nature of community.

This point will be more minutely considered later, when treating of the provisions of Article 5 as to legislation in affairs of common interest.

3. The disregard of the Holstein Estates involved in the provisions as to the normal Budget and its supplementary votes appears all the greater, if it be taken into account that every influence upon the distribution of the entire votes of the normal Budget, and every control of expenditure, is to be withdrawn from them. In lieu of a more minute consideration of this point, it may suffice to recall the fact that the proposals for mediation on the part of Earl Russell, treated of above sub II, regard a decennial agreement as to the normal Budget, as well as an annual distribution of its items by a common State Council, as just and advisable.

4. The formation of an independent division of troops out of the men levied for service in Holstein and Lauenburg, as a contingent to the Confederation, can *per se* but gratify the Assembled Diet. But apart from the circumstances that out of the contents of Article I of the Royal Proclamation of 30th March last, no clear deduction can be drawn as to the necessary elements of independence with regard to the officers, their training schools, commands, places of garrison, &c., particular attention must be paid to the financial portion of this regulation. The said Article I declares all expenditure on account of division of troops pertaining to Holstein and Lauenburg shall be defrayed out of the special finances of the Duchy of Holstein, which shall receive a contribution from the receipts of the Duchy of Lauenburg.

In this provision there is unquestionably an alteration of prior arrangements, as is evident also from the modification of No. 7 of the normal Budget for the Ministry of War, determined in Article 2, paragraph 2. Such an alteration,

however, cannot be made without the participation and assent of the Estates of the two Duchies. They alone are able to judge whether a greater burdening of the country is thereby brought about. That such is here really the case is not improbable. According to the above-quoted provision of Article 2, paragraph 2, the sum of 6,394,097 rix-thalers, noted in the 7th item of the normal Budget for the Ministry of War, is reduced for the term of two years to 770,000 rix-thalers, *i. e.*, for the chief administration of the army, for the two body-guards, and for the central training schools, which are to continue in common.

Thus the expenditure on common account is hereby diminished by about 3,000,000 thalers per annum, which amount is transferred to the separate finances of the single parts of the kingdom. No mention is made of a corresponding alteration of the items in the receipt side of the normal Budget, and yet it is quite clear that if these be not proportionately diminished, and transferred to the special finances of the single parts of the country, the whole innovation would be mainly tantamount to a new burdening of all the constituent parts of the Monarchy, possibly to the amount of 3,000,000 thalers per annum.

A project of law was set before the Danish State Council in the last session, regarding an alteration of the normal Budget; but in this also there is only a question of the alteration of the 7th item of expenditure, and it is added that section 11 of the normal Budget would be omitted, and until a new normal Budget should be fixed by law for the Danish division of the army, the entire expenditure on account of the same shall be supplied by the ordinary laws as to supplementary items. Now, as in section 11 of the normal Budget there is no question of receipts, but only of the details of expenditure in the War Department, the question raised above remains unsolved, and the reference to the ordinary laws as to supplementary votes would seem indeed to imply that no intention is entertained to apportion to the special finances of the single parts of the country, together with the new burden, corresponding sources of income, or to grant a diminution of the supplementary votes fixed in item 11 of the receipts of the normal Budget out of the special receipts. This notion lies the rather upon the surface as to Holstein, as no sort of influence is to be allowed to her Estates upon the normal Budget, and the supplementary votes thereof.

Thus we have here a repetition of that which was once before accomplished by the Patent of the 25th September, 1859, only more comprehensively, and the Committees therefore consider themselves justified in referring to their Report of the 17th January, 1861 (Protocol, section 18), sub III, and to the Resolution of the Diet of the 7th February, 1861, sub I, 1, in order to avoid repetitions.

5. In Article 3 of the Royal Proclamation, the domains and forests in Holstein are treated as a matter of common interest, and the surplus arising therefrom referred to common receipts.

This agrees, it is true, with the normal Budget of 1856, but is in contradiction with the Royal Proclamation of the 28th January, 1852, according to which the domains and forests do not belong to the common affairs of the Monarchy, as has already been shown in the Report of the Committee of the 14th January, 1858 (Protocol, section 19), sub I, A, 2.

But it is also directly at variance with the Resolution of the Diet of the 8th March, 1860, sub I, c, 1, according to which, with regard to the provisions as to the subjects which are to be considered as affairs of common or special interest, the tenour of the Royal Proclamation of the 28th January, 1852, is exclusively decisive.

6. According to Article 6 of the Royal Proclamation, the provisions of Articles 1 to 4, and therefore also the transfer of the administration of the special finances of Holstein to the Ministry for the Duchies of Holstein and Lauenburg, are to be put in force from the 1st April, 1864.

For the current financial term no sort of provision is hinted at, and therefore the apprehensions on account of one-sided Ordinances as in excess of the normal Budget, referred to in Appendix 8 A to the recent petition of the Holstein Estates, pp. 135 and 136, seem at least not to have been removed. Nay, they are even confirmed by the expressions of the Royal Minister of Finance at the sitting of the Danish State Council of the 19th May last (*Vide* Council Gazette ("Reichsraths-Zeitung"), p. 872).

7. It is said in Article 5 of the Royal Proclamation that the legislative power in all common concerns should be exercised for Holstein jointly by the King-Duke and the Holstein Estates. Hereby the Resolution of the Diet would seem to be complied with.

But a further provision is added, not only at variance with the notion of a

common legislation, but which annuls the very essence of community itself, and converts the apparent granting of right into a separation of Holstein from the totality of the Monarchy, this being wholly inadmissible according to the Conventions of 1851 and 1852.

For in Article 5 follows verbatim:—

"Should such a law be passed by us for Holstein with the sanction of her Estates, it being impossible to introduce an identical law into the other constituent parts of the country, the necessary arrangements arising therefrom shall be made, in so far as the law bears upon a relation wherein a different legislation would be incompatible with the maintenance of the community hitherto existing."

This provision is obscure and imperfect, and therefore needs above all things a more minute examination and completion, whereto the declaration of the Royal Ambassador at the sitting of the 16th April last affords a basis.

The impossibility to introduce a law upon common affairs into all parts of the country simultaneously will accrue when there is an absence of agreement among all the legislative factors; that is to say, as it is not conceivable that the Crown will yield its assent to a project of law set before it affecting all the parts of the country, only as to single portions of the same, when the legal representatives of some part or parts of the country assent to the project of law, but those of the rest refuse their assent.

Now this case is evidently conceivable not only in such wise that the Estates of Holstein assent and the rest dissent, but also *vice versâ*, that the Holstein Estates refuse their assent to a law approved of by the remaining parts of the country. This latter case affects the rights and interests of Holstein in an equally high degree with the former, and it is not to be explained why it should be passed over in silence in the Royal Proclamation, the more so since no conceivable reason can be imagined for a different treatment of the two cases. In fact, the two cases are mentioned in the declaration of the Ambassador, and treated of identically.

But as to the consequence of the designated non-agreement of the various Representatives of the country, it might be supposed, considering the nature of the matter and according to the general principles of right, that the intended general law is rejected, and can come into force in no part of the country, and herewith the object of the Royal Proclamation appears to agree, in so far at least as the Crown is not bound to introduce the law into those parts of the country the Representatives of which have assented thereto; but it assumes the possibility of such a partial introduction.

Article V speaks, moreover, somewhat obscurely of the arrangements becoming necessary in consequence thereof, which, however, find their interpretation in the explanation of the Ambassador.

For according to this, the distinction is to be drawn whether the non-agreement of the single Representatives of the country affects the essence of common institutions or not. In the latter case, the partial introduction of the law would take place without further difficulty or preliminaries; in the former, on the other hand, a dissolution of community would ensue as to the portion in question. This dissolution is designated by the Ambassador an inevitable consequence of the free and unfettered participation granted to both representations in an equal measure in legislation. The Reporting Committees, however, cannot but recognize the precise contrary of this, that is to say, the impossibility of partial legislation in common affairs, as the logical and legal consequence both upon general principles of right, and as resulting from the Conventions of 1851 and 1852; and therefore regard Article 5 of the Royal Proclamation, being in opposition thereto, as inadmissible and impracticable.

It is a principle of right, hither undisputed by any one, that in a community with ideal participation no sort of decree concerning the common object is admissible with the consent of all parties concerned, and that the opposition of a single one is binding upon all the rest, and renders the measure in question absolutely impracticable. Should the community be dissolvable, then such a difference may be the occasion of a dissolution, which may be brought about, should it be preferred by any constituent part, in accordance with the legal regulations which form the basis of such community.

But before this dissolution is legally carried into effect, such a Decree must be entirely suppressed, and the difference of opinion among such confederates concerning any projected measure thus never constitutes the legal ground, but at most the actual occasion, the motive for a constituent to assert its otherwise founded right to

a dissolution. If, on the other hand, the community be indissoluble, the difference among the confederates has no other consequence, has no other effect, than to render the measure proposed impracticable.

Surely no further elucidation is needed as to the fact that it lay neither in the intention nor in the tenour of the Conventions of 1851 and 1852, and the Royal Proclamation of the 28th January, 1852, to regard the affairs of the whole Monarchy therein designated as common, as in so far dissoluble that each single part can demand the abolition of community, and participation on behalf of the Holstein Estates in the common legislation, demanded in the later Resolutions of the Diet upon those bases, has therefore no other meaning than that a law affecting common interests can be passed only with the assent of the Representatives of all parts of the country. Thereby it is by no means meant to be asserted that the number and compass of common interests as fixed in the Royal Proclamation of the 28th of January, 1852, are to be considered as immutable for ever; but this much is certain, that any desirable alteration herein is possible only by consent of all parties concerned, that is, of the Crown and all the Representatives of the country.

If, instead of these indisputable principles of right, the intentions of Article 5 of the Royal Proclamation of the 30th of March last are to be applied, it would lie in the power of the Royal Government to compel the Duchy of Holstein unconditionally to put up with every legislative act of the Danish State Council in common affairs, or to exclude it from community. That herewith all equality of rights would cease, is clear, and the Holstein Estates have therefore rightly refused to take into consideration those projects of law which, as shown above, sub III, 3, were laid before them in their last session with the intention of a dissolution of community in case of any difference of opinion.

(B.) The judgment of the Royal Proclamation of the 30th March last is by no means a more favourable one if its effects upon the other portions of the country and the whole Monarchy be taken into account.

1. The Duchy of Lauenburg is mentioned only in Article 1 of the Royal Proclamation. It is therein determined that it has to supply a contribution out of its own resources towards the maintenance of the Confederate contingent formed from the troops of Holstein and Lauenburg. As, however, according to the rights of the Lauenburg Estates, recognized by the Royal Danish Government, this contribution cannot be fixed without their assent, it will be their business to rid themselves of the financial disadvantages which, as set forth above, sub A, 4, might result from the provision of Article 1.

Meanwhile it is impossible to determine how far the Royal Government intends to apply the tenour of the Royal Proclamation to Lauenburg.

But thus much is clear,—that the provision of Article 5, if it be applied at all, would extend in its effects to Lauenburg also; so that it would either be excluded from community, together with Holstein, or be included therein without Holstein, two eventualities which would appear to be as little legally admissible to Lauenburg as to Holstein.

2. The Duchy of Schleswig is not mentioned at all in the Royal Proclamation. As, however, the Royal Government maintains, with regard to this portion of the country, the Common Constitution of October 2, 1855, and the efficiency of the State Council, it results therefrom that the carrying out of Article 5 of the Royal Proclamation would be of special and deep significance to that Duchy. The Duchy of Schleswig would appear in all questions of common legislation, not as an equally privileged factor by the side of Holstein and the kingdom, but as an integral part of the latter in the representation by State Council. It would therefore, in case of difference of opinion, and the dissolution of community theretofore existing thence deduced, be constantly separated from Holstein, but yet be still connected with the kingdom; and as its representatives in the State Council itself form the minority, their votes would not even affect the question as to whether the community should be maintained or dissolved.

The practical result of the Royal Proclamation, and especially of Article 5, would be that the conduct of common affairs, as well as the maintenance of community, would be placed in the hands of the Royal Government, and the Danish majority of the State Council that the Estates of Holstein and Lauenburg would be even formally excluded from participation, and the Representatives of Schleswig in the State Council, on account of their being in the minority, would be deprived of any and every decisive influence in such matters.

Herein there would indubitably lie so important a step towards the incorpora-

tion of Schleswig with the Monarchy, that little would remain to be done in that direction, and thus the Royal Proclamation of the 30th of March last is at variance with the obligations entered into by the Royal Danish Government in the negotiations of 1851 and 1852.

3. The Monarchy at large would, after this modification, no longer constitute a well-organized whole, consisting of independent and co-ordinate parts, none of which would be subjected to the other, as fixed by the negotiations of 1851 and 1852, and pledged in the Royal Proclamation of January 28, 1852 (*vide* Report of Committee of February, 18, 1860, Protocol, section 58, sub viii, pp. 83 and 84); but an arrangement based upon the supremacy of the kingdom, the incorporation of Schleswig, and the subordination or exclusion of Holstein and Lauenburg.

If now we take into consideration the incompatibility of the Royal Proclamation of the 30th March last with the Conventions of 1851 and 1852, as has been proved here in detail, it appears to be a justified proceeding that the Governments of Austria and Prussia have entered a protest against the same in identical notes presented by their Ambassadors at Copenhagen on the 17th April last, and have reserved both to the Germanic Confederation and to themselves all rights and claims of a Confederate and international character based upon those Conventions or upon any other foundations; as also that the Assembled Diet, upon the communication of the Royal Proclamation of the 30th March last, made at their sitting of the 16th April last, forthwith, on a motion of the President, entered a protest of a like tenour. The Reporting Committees, therefore, do not deem it needful, on the ground of the communication made in the sitting of the 23rd April last, and subsequently referred to them, of the Austro-Prussian notes of protestation, to propose a repetition of such protests.

Under date of the 1st June last the Ambassadors of Austria and Prussia communicated to the Combined Committees the annexed copy (*vide* Appendix 9) of a rescript from the Royal Danish Minister, M. Hall, of the 16th of May last, to the Royal Danish Ambassadors in Vienna and Berlin, containing a rejoinder to the above-mentioned protests of the 17th April last. The Ambassadors accompanied this communication with the observation that, according to the opinion of their Courts, this rejoinder did not affect the position of the question. The Reporting Committees can but express their entire concurrence herein.

V. On summing up what has been set forth, there results the following position of affairs.

The Resolutions of the Diet of the 8th March, 1860, and of 7th February, 1861, have not hitherto been complied with on the part of the Royal-Ducal Government.

All the confidential negotiations carried on with a view to an agreement have proved fruitless, and the Royal-Ducal Government has rejected the proposals made for mediation.

The Conventions of 1851 and 1852, and the Royal Proclamation of the 28th January, 1852, have till now not been carried out.

The Royal Danish Government has attempted, first, to interpret these Conventions in the course of the negotiations in a sense opposed to their text and spirit, then, for the most part, denied their legally binding character, and now officially declared that they could not be carried into execution. But the Royal Government has further, by a series of political proceedings, acted in direct opposition, not only to those Conventions, but also to the Resolutions of the Diet based thereon; and, in fine, the Royal Proclamation of the 30th March last published a programme of a Constitution completely antagonistic, which is to be put in force partly at once and partly in a year.

VI. The combined Committees deem it unnecessary to prove that the Germanic Confederation must now act so as to maintain their rights, their dignity, and their authority, and therefore at once turn to the consideration of such measures as may appear best calculated to attain this object.

Two courses lie open to the Diet, for both of which motions have been made within the assembled Diet. The Diet can either, on its part, renounce all Conventions and obligations of the years 1851 and 1852, and make the legal position obtained by the peace of 1850 the basis of its further proceedings, or insist upon the complete fulfilment of the above-named Conventions and obligations on the part of the Danish Government, and forthwith employ the requisite means.

Towards the former course tends the motion of the Grand-Ducal Government of Oldenburg at the sitting of the 30th April last (Protocol, section 112), but towards the latter that of the Royal Hanoverian Government at the sitting of the 23rd April last (Protocol, section 107).

The combined Committees have not failed to take these two motions referred to them into mature consideration. They have not overlooked the fact that to pursue the former course would, *per se*, be justifiable and admissible. Yet they have arrived at the conclusion that, at least for the time being, it would be more advisable to abide by the indefeasible, and as they are convinced as to tenour, clear and definite basis which rests upon the Conventions of 1851 and 1852, and especially cannot abandon the conviction and hope that upon this basis there is a greater prospect of arriving at a generally satisfactory understanding and settlement of the Constitutional interests of the Danish Monarchy, in its totality as well as in its single parts, than by a return to the old legal position.

Herein, however, the Committees proceed from the supposition that the carrying out of the Conventions of 1851 and 1852 in their whole extent,—not only, therefore, with regard to the Duchies of Holstein and Lauenburg, but also with regard to Schleswig,—was their aim and end. The Resolutions of the Diet passed subsequently to the year 1852 have been limited, except that of 27th March, 1862 (Protocol, section 114), containing a general protest, to the two first-named Duchies, not because as regards Schleswig the Diet has no just claims to make to the Royal Danish Government, but because these claims bear in them another character besides that of the rights of the Diet as to the two countries pertaining thereto.

The hope was entertained that the exact fulfilment of the Conventions of 1851 and 1852 as to Holstein and Lauenburg would establish, equally for the Duchy of Schleswig, a condition corresponding to those obligations which the Royal-Ducal Government has undertaken in those international stipulations towards the Diet in regard of this land.

This hope, however, has been disappointed in every way. Not only has the legal position of Holstein and Lauenburg not yet been rightly determined, but it has become manifest throughout the negotiations carried on upon the subject, that such order is unattainable so long as the position due to it by right is not granted to the Duchy of Schleswig. This, however, and the right of the Diet to demand it, has been finally and absolutely denied by the Royal Danish Government. If, accordingly, the Committee propose that the Diet shall henceforth insist upon its rights as to Holstein, Lauenburg, and Schleswig simultaneously and inseparably, they do not overlook, as has been already intimated, that there exists a considerable divergency as to the manner and foundation of these rights. The rights of the Diet as to Holstein and Lauenburg are of a confederate nature, whereas those as to Schleswig, in so far as they do not refer to the institutions in common with Schleswig, which constitute the constitutional rights of Holstein, have an international character.

This difference would exhibit its practical effect in case it should become necessary for the Diet actually to defend its obstinately-ignored rights, in so far as with respect to Schleswig confederate proceedings could not be taken. On the other hand, this difference can in no wise prevent the Diet to prosecute its various rights simultaneously, and to debate and conclude as to the ways and means hereto, according to the forms usual in its proceedings.

The Reporting Committees think that they may refer to their Report at the sitting of the 1st of May, 1862, and the Resolutions passed thereon forthwith by the assembled Diet. (Protocol, section 114.)

On the other hand, it appears desirable to call to mind in a brief review both the bases and the tenour of the legal claims pertaining to the Diet as to Schleswig upon the Royal Danish Government.

The bases of these rights are as follows:—

1. The Treaty of Peace ratified by the Diet on the 2nd July, 1850.

2. The Royal Manifesto of the 14th July, 1850, issued in connexion with the said Treaty of Peace, and officially communicated by the Royal Ambassador.

3. The Conventions between the Royal Danish Government and the Governments of Austria and Prussia, acting in the name of the Diet in the years 1851 and 1852, and the Royal Proclamation of the 28th January, 1852, immediately connected therewith, brought forward and accepted, *i.e.*, recognized, at the sitting of the assembled Diet of the 29th July, 1852 (Protocol, section 197).

The claims which the Germanic Confederation is justified, upon these basis, in

addressing to the Royal Danish Government as to Schleswig, may be brought under the following heads :—

(A.) That the Duchy of Schleswig shall not be incorporated with the Kingdom of Denmark, nor shall any step be taken to such incorporation. (Appendix B to Bluhme's despatch of December 6, 1851, Diet Protocol of 1857, p. 656.)

(B.) That an independent and coordinate position be granted to the Duchy with the remaining constituent parts of the Monarchy. (Royal Proclamation of the 28th January, 1852.)

(C.) That perfectly equal rights and powerful protection be granted and secured to the Danish and German nationalities in the Duchy. (Royal Proclamation of January 28, 1852.)

(D.) That those ties between Holstein and Schleswig shall be maintained which are either founded in the institutions granted to both parts of the country in common, and which are not of an international character (the Eider Canal, the Deaf and Dumb Asylum, the Lunatic Asylum in Schleswig, the Penal Establishments in Gluckstadt, the use and maintenance of the University of Kiel), or which rest upon common relations of private right subsisting between certain classes, a non-political social tie between the nobility of Schleswig and Holstein. (Despatch of the 6th December, 1851, Appendix B, Protocol of 1857, p. 656.)

There needs no repeated proof here that the Royal Danish Government has not only not complied with the two first obligations, but even acted in direct opposition to the same. This is sufficiently clear from the explanations above, under III and IV, B. But it is not otherwise as regards the last two points. The prejudice done to the Royal nationality in Schleswig is as notorious as are the obstacles put in the way of the guaranteed community of interest with Holstein. The Reporting Committees do not deem it needful to enlarge upon these points at present, because they are of opinion that a removal of these grievances will take place as a matter of course when, and only when, the Constitution of Schleswig shall have been arranged in accordance with the two first demands.

VII. It having now been set forth seriatim wherein the rights of the Diet consist, whereby and how they have been violated, and what proceedings should be taken for their maintenance, it cannot admit of a doubt that this course should be begun by a presentation of a demand to the Royal-Ducal Government to satisfy the well-founded claims of the Diet. Hereto, before all, would belong the withdrawal of the Royal Proclamation of the 30th March, 1863, and then such a regulation of the common affairs of the whole Monarchy according with the Conventions of 1851 and 1852, or at least corresponding with the proposals for mediation made by the Government of Great Britain. Arrangements would have to be made tending to such a settlement without delay, and notice be given thereof to the Diet.

But the Committees, in consideration of the course of events within the last few years, are of opinion that a moderate term should be granted for such a satisfactory announcement, and that the Committees should at once be called upon in the course of this term to discuss what measures would have to be taken in case it should pass over without result.

This request to the Royal Danish Government would, as to Holstein and Lauenburg, be based upon Article 3 of the Order of Execution, and would have to be brought to the knowledge of the Royal Ducal Government through the medium of the Royal Ambassador to the Diet.

With regard to the Duchy of Schleswig, on the other hand, it would have an international character; and the Reporting Committees, therefore, consider it fitting that at the same time the requests be addressed to the Governments of Austria and Prussia, to communicate the Resolution in the name of the Diet to the Royal Government, through their Representatives accredited to the Royal Danish Court

In this way, the Assembled Diet would remain true to the spirit of moderation and confederate amicable regard by which they have hitherto been guided; but at the same time they would manifest the firm resolve to maintain their rights with all the means at their disposal.

Guided by these considerations, the Combined Committee make the following motion :—

That the assembled Diet, seeing that—

1. The Royal Danish and Ducal Holstein-Lauenburg Government has not complied with the demands addressed thereto by Resolutions of the Diet of the 11th February and the 12th August, 1858; the 8th March, 1860, and the

7th February, 1861,—but, on the contrary, acted in direct contravention thereof through various Legislative Ordinances, but more especially through the Proclamation of the 30th March last, officially communicated to the assembled Diet at its sitting of the 16th April last, shown an intention not to comply with these Resolutions passed in the affair of Holstein-Lauenburg;

2. That especially by the said Proclamation the attempt has been made to give to the Duchy of Holstein a position openly at variance with the Convention agreed to by a Resolution of the Diet of the 29th July, 1852, as also with the conditions upon which the Diet suspended its confederate action in Holstein, and allowed that land to be restored to the Administration of His Majesty the King of Denmark, Duke of Holstein;

3. That the above named Royal Proclamation, as to its reaction upon the Duchy of Schleswig, is in opposition to the obligations entered into by Denmark, agreeably to the Royal Manifesto of the 14th July, 1850, and to the Proclamation of the 28th January, 1852, towards the Courts of Austria and Prussia as the Plenipotentiaries of the German Diet, by the Declarations of the 29th January, 1852, neither to incorporate Schleswig with the Kingdom of Denmark Proper, nor to take any steps having such an object;

4. That therefore the Germanic Confederation, in case the Royal Danish Government should persist in the Proclamation of the 30th March last, would be compelled, for the maintenance of violated rights, as to the Duchies of Holstein and Lauenburg, to resume the Executionary action commenced by a Resolution of the Diet of the 12th August, 1858, but with regard to the Duchy of Schleswig to apply any and every means calculated to assert the rights acquired by them by an international Convention;

5. That Her Britannic Majesty's Government in September last brought forward proposals for mediation, wherein the Germanic Confederation, sharing the views expressed therein by Austria and Prussia, would feel disposed to see an acceptable basis for a settlement, in so far as the Danish Government should yield an implicit assent to such proposals;—do resolve:

I. To require the Royal Danish and Ducal Holstein-Lauenburg Government not to give effect to the Royal Proclamation of the 30th March last, but to declare the same null and void, and to communicate to the assembled Diet within six weeks that the necessary preliminary steps have been taken for the introduction of a common Constitution, inviting the Duchies of Holstein and Lauenburg, with Schleswig and with the Kingdom of Denmark Proper in one uniform combination, whether by a complete carrying out of the Conventions of 1851 and 1852, or the basis of the proposals for mediation made by Her Britannic Majesty's Government on the 24th September last.

II. To give due notice of this Resolution as to the Duchies of Holstein and Lauenburg to the Royal-Ducal Government by virtue of Article III of the Order of Execution, and at the same time in reply to its communication of the 16th April last, through the medium of its Ambassador.

III. To address a request to the Governments of Austria and Prussia that they will cause this Resolution to be communicated for the sake of its reference to the Duchy of Schleswig, in the name of the Diet, to the Royal Government through their respective accredited Representatives.

IV. To instruct the combined Holstein and Execution Committees to discuss, and eventually to propose, measures to be adopted in case the Royal Danish Government should not fulfil the above requirements.

Inclosure 2 in No. 82.

Motions and Conclusions of Report on Danish Duchy Question.

(Translation.)

THE united Committees under these circumstances make the following Motion:—

The assembled Diet seeing that,

1. The Royal Government of the Kingdom of Denmark and Duchy of Holstein-Lauenburg has not satisfied the demands addressed to them by virtue of the Resolutions of the Diet of 11th February and 12th August, 1858, 8th March, 1860, and 7th February, 1861, but on the contrary acted in opposition thereto through several legislative enactments, more especially by the Proclamation of the 30th March last, officially announced to the Diet at its sitting of the 16th April last, thereby manifesting the intention not to comply with these Resolutions affecting Holstein-Lauenburg.

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2. That they have endeavoured by means of the said Proclamation in particular, to place the Duchy of Holstein in a position clearly incompatible with the agreement entered into by a Resolution of the Diet of 29th July, 1852, as also with the stipulations under which the Diet suspended its action in Holstein, suffering that country to return to the administration of His Majésty the King of Denmark.

3. That the said Royal Proclamation is, further, as regards its reaction upon the Duchy of Schleswig, in direct opposition to the obligation entered into by Denmark in accordance with the Royal Manifesto of 14th July, 1850, as also with the Declaration of 28th January, 1852, to the Courts of Austria and Prussia, as plenipotentiaries to the Germanic Confederation, by virtue of the Declarations of 29th January, 1852, neither to incorporate Schleswig with the Kingdom of Denmark proper, nor to take any steps having such tendency.

4. That the Germanic Confederation, in case the Government of His Majesty the King of Denmark should persist in their Proclamation of 30th March, would be under the necessity, with a view to maintain the violated rights pertaining to the Duchies of Holstein and Lauenburg, to resume the proceedings in Execution commenced in accordance with the Resolution of the Diet of 12th August, 1858, but with regard to the Duchy of Schleswig to employ whatever means may be requisite for the vindication of the rights it has acquired by international agreement.

5. That the Government of Her Britannic Majesty, in September last, brought forward certain proposals for mediation, in which the German Diet, sharing the views on that head expressed by Austria and Prussia, would have seen an acceptable basis of a settlement, in so far as the Danish Government should give their unconditional consent thereto, resolve—

I. To request the Government of the Kingdom of Denmark and Duchies of Holstein-Lauenburg not to give effect to the Royal Proclamation of the 30th March last, but to declare the same null and void, and formally to announce to the Diet within six weeks their having made the needful preliminary arrangements for the introduction of a Constitution combining the Duchies of Holstein and Lauenburg with Schleswig, and with the Kingdom of Denmark proper in a parity of union, whether by a complete fulfilment of the agreements of 1851-52, or upon the basis of the proposals for mediation made by Her Britannic Majesty's Ministers, September 24th, 1862.

II. To give notice of this Resolution affecting the Duchies of Holstein and Lauenburg to the Royal Ducal Government, by virtue of Article III of the Order of Execution, and at the same time, in reply to their communication of the 16th April last, through the medium of their Ambassador.

III. To prefer a request to the Governments of Austria and Prussia, that in view of its connection with the Duchy of Schleswig, they would charge their respective representatives at the Court of the King of Denmark to communicate this Resolution to Her Majesty's Government, in the name of the Diet.

IV. To empower the Holstein and Execution Committees to discuss, and subsequently to propose, the measures to be taken in case the Royal Danish Government should fail to comply with the above demands.

No. 83.

Earl Russell to Mr. Corbett.

Sir, *Foreign Office, June* 24, 1863.

I HAVE to inform you, in reply to your despatch of the 12th, reporting a conversation you had held with the President of the Diet, that his Excellency ought not to conceal from the Diet, with a view of hastening its resolutions, a knowledge of the sentiments of Her Majesty's Government, as expressed in my despatch to Lord Bloomfield and Sir A. Buchanan, deprecating the Federal Execution in Holstein.

You may show this despatch and give a copy of it to any member of the Diet who may desire to learn the view taken by Her Majesty's Government of the proper course for the Diet to pursue, in the present agitated state of Europe.

I am, &c.
(Signed) RUSSELL.

No. 84.

Mr. Corbett to Earl Russell.—(Received June 25.)

My Lord, *Frankfort, June 25, 1863.*

THE Danish Minister at Frankfort is very anxious to possess a copy of your Lordship's despatch of the 27th ultimo, addressed to Lord Bloomfield, deprecating a Federal Execution in Holstein; but without your Lordship's authority I have not considered myself at liberty to comply with M. de Dirchinck's request to be furnished with a copy.

I have, &c.

(Signed) EDWIN CORBETT.

No. 85.

Earl Russell to Mr. Corbett.

Sir, *Foreign Office, July 1, 1863.*

WITH reference to your despatch of the 23rd instant, stating that the Danish Minister at Frankfort has applied to you for a copy of my despatch to Her Majesty's Ambassador at Vienna, on the subject of a Federal Execution in Holstein, I have to state to you that the paper in question must not be given to the Danish Minister.

I am, &c.

(Signed) RUSSELL.

No. 86.

Mr. Baillie to Earl Russell.—(Received July 6.)

My Lord, *Stuttgardt, June 27, 1863.*

I HAVE the honour to transmit herewith the accompanying despatch which I have received from Her Majesty's Chargé d'Affaires at Carlsruhe, reporting a conversation with Baron de Roggenbach on the Schleswig-Holstein question, with reference to which I may state that Baron de Hügel, while expressing the strongest disapprobation of the Danish proceedings with regard to the Duchies, has always deprecated having recourse to measures of force except as a last resource, or even to making such demands upon Denmark as she could not be reasonably expected, from a feeling of honour, to accede to. But when I pressed his Excellency for a more exact statement of his views as regards a Federal Execution, in case Denmark eventually refused to acknowledge her obligations and yield to the demands of the Confederation, his Excellency evaded the question by saying that the matter would not come to that point for some time, and implying that he had no positive opinion to give at the present.

I have, &c.

(Signed) EVAN P. M. BAILLIE.

Inclosure in No. 86.

Mr. Ford to Mr. Baillie.

Sir, *Carslruhe, June 23, 1863.*

IN alluding this morning to the proceedings of the Diet at Frankfort, in its sitting of the 18th instant, at which it was decided that in the course of three weeks a decision should be come to as to the line of conduct the several German States should pursue with a view to marking their disapprobation of the Royal Danish Ordinances of the 30th March, relating to the Constitutional position of the Duchy of Holstein, I asked Baron de Roggenbach what instructions would be given to the Baden Plenipotentiary when called upon to vote on the question?

His Excellency informed me that he still adhered to the opinions he had always expressed on the subject, viz., that though he disapproved of the Royal Ordinances, and considered that Denmark had entirely failed to keep the Treaty engagements she had contracted with Germany, that he was nevertheless strongly opposed to the employment of a Federal Execution as the means by which to enforce the rights of Germany in the Duchies; that he still advocated an

attitude of protestation, and that he should instruct the Minister of Baden at the Diet to vote against the adoption of active measures. "I believe, however," he added, "that we shall be the only German State that will record such a vote."

I have, &c.
(Signed) FRANCIS CLARE FORD.

No. 87.

Sir H. Howard to Earl Russell.—(*Received July* 6.)

My Lord, *Hanover, July* 4, 1863.

AT an interview which I had with Count Platen this morning, I took an opportunity, with reference to the Resolutions on the Schleswig-Holstein Question, proposed in the sitting of the German Diet of the 18th ultimo, of communicating to his Excellency the earnest wish which your Lordship had conveyed to the Austrian and Prussian Governments, as well as to other German Governments through Her Majesty's Chargé d'Affaires at Frankfort, that the Diet should abstain from proceeding to a Federal Execution in Holstein, on account of the dangers which might ensue from it to the general peace in the present state of the affairs of Europe, and I likewise stated your Lordship's opinion, that the Schleswig question being an international one, ought to be treated as a great European question.

At the same time I reminded Count Platen that he had always expressed himself, in conversation with me, in favour of avoiding an Execution, on account of the complications it might entail, and I said I therefore hoped that he would exert himself, in order to prevent such an extreme measure from being resorted to, in the event of the King of Denmark not complying with the Resolutions, which it would appear there was no doubt the Diet would adopt in the form proposed.

His Excellency replied that the Resolutions were extremely moderate, and afforded every facility for concession on the part of the King of Denmark, but that if His Majesty should not consent to abandon his Ordinance of March 30 last, it would be impossible for the Diet, in view of the feeling existing in Germany on the subject, to abstain from an Execution. There were, however, different ways of carrying out an Execution, one of which, and indeed that which I understood him to say he recommended, being that a Federal Commissioner should be sent to Holstein, attended only by an escort. At all events, he would use his best endeavours that, if an Execution should be found necessary, it should be effected in such a manner as not to bring about a conflict.

I observed to his Excellency that he must not forget that a strong feeling in favour of resisting the German pretensions existed in Denmark, and that under these circumstances the appearance of a single German soldier in Holstein might very likely bring on a conflict, and was therefore to be deprecated.

His Excellency, however, remarked that he could not believe that the King of Denmark would be willing to bring on a conflict. He was, on the contrary, of opinion that if an Execution of the nature to which he had alluded were to take place, His Danish Majesty would be thereby induced to re-open negotiations with the view to a reasonable settlement.

I have, &c.
(Signed) HENRY HOWARD.

No. 88.

Sir A. Paget to Earl Russell.—(*Received July* 13.)

My Lord, *Copenhagen, July* 9, 1863.

THE Schleswig Diet has been convoked for the 17th instant.

I understand that several measures of reform will be presented by the Danish Government to the deliberation of this body, measures having reference especially to the removal of the existing restrictions on the Press and the right of meeting.

It is also intended to propose a new Electoral Law.

The Session will probably last about six weeks.

I have, &c.
(Signed) A. PAGET.

No. 89.

Mr. Corbett to Earl Russell.—(Received July 13.)

(Extract.) *Frankfort, July 10, 1863.*

THE prescribed interval of three weeks having elapsed since the Report of the Joint Committees on the Danish Duchies questions was laid before the Diet, that body, at its sitting yesterday, after a long debate, which has been described to me as of a somewhat stormy character, adopted by a large majority the resolution recommended for their consideration. Thirteen members voted in favour of, and four against, the adoption of the measures proposed. Of the former, eleven voted without any reserve on the part of their Governments, but the Representatives of Hesse-Darmstadt and of the Saxon Duchies gave in much detail the reasons for their votes, and set forth the views of their Governments in the matter. The former, M. de Bigleben, declared that his Government was in favour of the union of Schleswig to Holstein, as matters stood before the year 1848, and maintained that their separation was a concession made to Denmark for which no equivalent had ever been given by that Power to the claims of the Confederation. The correctness of this was at once denied by the Representative of Holstein, who contended that the recognition of the separation of the Duchies was not a concession at all on the part of the Diet, but that his Sovereign had a perfect right to act in the matter as he had done; and his Excellency quoted an extract from a despatch of Prince Schwartzenberg to prove that neither Austria nor Prussia thought otherwise at that period, and, acting for the Diet, had recognized the right of the Crown of Denmark to dissolve a union which it had formerly sanctioned; and he insisted that this quotation (copy of which I have the honour to inclose) should be inserted in the minutes of the Diet's proceedings.

The Representatives of Luxemburg, of Holstein, of Baden, and of Oldenburg, formed the minority of four. The first named, M. de Scherff, referring to a former declaration of his Government on the subject, stated that he opposed the adoption of the measures as an unjustifiable interference with the internal affairs of an independent State.

M. de Dirchinck, while recognizing the right of the Diet to interfere in Holstein within the terms of the Constitution of the Confederation, denied that it would be justified in doing so on the grounds of the pretended non-fulfilment of the engagements entered into by the King in 1851 and 1852, which would at once make the question one of an international character; and, moreover, his Excellency gave it distinctly to be understood that in case the Diet were to weigh upon Holstein on account of its pretensions in regard to Schleswig, his Government would only regard such interference as an international question, and, in fact, a *casus belli*.

The Representatives of Baden and Oldenburg expressed their preference for the Oldenburg proposition, and voted with the minority, as their Governments considered that the propositions of the Committee were not nearly stringent enough, and the Representative of Oldenburg criticized the scheme of settlement proposed by your Lordship in September last, characterizing it as far too favourable to Denmark. They declared, however, at the same time, that although they voted with the minority, their Governments were prepared to carry out the resolutions adopted by the majority.

In the course of a few days the Danish Minister will be invited to convey to his Government the resolutions of the Diet as regards Holstein, and the Representatives of Austria and Prussia at Copenhagen will be charged to make known to the Danish Government the demands of the Diet as regards the Duchy of Schleswig; and six weeks' delay will be afforded that Government, from the date when the communications are signed by the President of the Diet, to withdraw the Proclamation of March 30, and to conform to the other demands of the Confederation, before further action is taken in the matter.

From all I can learn, it would seem that the Prussian, and especially Austrian Governments consider themselves too far advanced in the business to recede from the ground they have taken without rendering themselves ridiculous in the eyes of Europe, though they would not be disinclined to do so if a pretext could be found in the interference of any other Power to bring about a pacific solution of the question.

M. von der Pfordten, the Representative of Bavaria in the Diet and Chairman of the Joint Committee, the author of the Report just adopted, is considered to be

by no means indisposed to carry out, by all means in his power, the views of the Diet, even at the risk of war.

I have, &c.
(Signed) EDWIN CORBETT.

Inclosure in No. 89.

Prince Schwartzenberg to the Austrian Minister at Copenhagen.

(Extrait.) *Vienne, le* 26 *Décembre*, 1851.

DANS la déclaration de Sa Majesté le Roi du Danemark que l'incorporation du Slesvig dans le Royaume proprement dit n'aura pas lieu, et qu'il ne sera pas non plus fait de démarche pour arriver à ce but, la Cour Impériale voit avec satisaction une nouvelle confirmation de la promesse que le feu Roi Christian VIII avait déjà donnée à ses sujets, que le Roi actuel a renouvelée à son tour immédiatement après le Traité de Paix du 2 Juillet, 1850, dans le manifeste du 14 du même mois, et qui en conformité du Article IV du dit Traité a été portée à la connaissance de la Confédération Germanique comme une résolution prise par le Roi en vue de la pacification du pays.

Quant aux autres déclarations que dans la séance du 7 Septembre, 1846, le Roi Christian VIII a données *motu proprio* à la Diète, que celle-ci a reconnues pour satisfaisantes, et suivant lesquelles il n'était pas dans la pensée du Roi d'apporter aucun changement aux rapports qui reliaient alors le Holstein au Duché de Slesvig, le Gouvernement actuel estime qu'elles ne conviennent plus sous tous les rapports à l'état de choses actuel ; il est convaincu que la communauté des deux Duchés relativement à l'administration et au Tribunal Suprême, qui avait existé depuis 1834, et que les événements récents ont abolie par le fait, doit rester abolie à l'avenir. A l'égard de ces points la Cour Impériale reconnaît que les déclarations citées du 7 Septembre, 1846, avaient pour base la situation qui existait à cette époque, et n'avait point pour effet légal de faire dépendre de l'assentiment de la Confédération les résolutions que les circonstances modifiées pouvaient amener le Roi à prendre en vertu de ses droits souverains à l'égard de la connexité en question, attendu que ces résolutions n'intéressaient pas la compétence légale de la Confédération Germanique. Le Gouvernement Impérial, pour sa part, n'élèvera donc pas d'objections à l'abolition de la dite communauté, et il emploiera même son influence pour que la dite mesure ne rencontre pas de difficultés de la part de la Diète Fédérale.

(Translation.)

IN the declaration of His Majesty the King of Denmark that the incorporation of Schleswig with the Kingdom properly so-called shall not take place, and that no step shall be taken to attain that object, the Imperial Court sees with satisfaction a fresh confirmation of the promise which the late King Christian VIII had already made to his subjects, which the present King in his turn renewed immediately after the Treaty of Peace of July 2, 1850, in the Manifest of the 14th of the same month, and which in conformity with Article IV of the said Treaty was communicated to the German Confederation as a resolution taken by the King with a view to the pacification of the country.

With regard to the other declarations which the King Christian VIII made *motu proprio* to the Diet in the sitting of September 7, 1846, which the latter accepted as satisfactory, and according to which the King had no idea of making any change in the relations which then bound Holstein to the Duchy of Schleswig, the present Government consider that they are no longer adapted in any way to the present state of affairs; they are convinced that the union of the two Duchies, with regard to the Administration and the Supreme Tribunal, which had existed since 1834, and which recent events have *de facto* abolished, ought for the future to remain abolished. With regard to these points the Imperial Court acknowledges that the above-quoted declarations of September 7, 1846, were founded upon the situation as it then existed and were not intended to have legally the effect of making the resolutions which modified circumstances might induce the King to take in virtue of his sovereign rights with respect to the union in question, depend upon the consent of the Confederation; considering that these resolutions had no reference to the legal competence of the Confederation. The Imperial Government, as far as it is concerned,

will therefore not object to the abolition of the said union, and will even exert its influence to prevent the said measure meeting with difficulties on the part of the Federal Diet.

No. 90.

Mr. Corbett to Earl Russell.—(*Received July* 17.)

My Lord, *Frankfort, July* 15, 1863.

I HAVE the honour to inform your Lordship that the Resolution of the Diet in regard to the withdrawal of the Proclamation of the King of Denmark of the 30th March last, relative to the Duchy of Holstein, has been communicated to the representative of that Duchy, and of Lauenburg, and that M. Dirchinck has this day forwarded it to his Government.

The President has also transmitted to Berlin and Vienna that part of the Resolution relating to Schleswig which is to be brought to the knowledge of the Danish Government through the representatives of Austria and Prussia at Copenhagen.

I have, &c.

(Signed) EDWIN CORBETT.

No. 91.

Mr. Corbett to Earl Russell.—(*Received July* 20.)

My Lord, *Frankfort, July* 17, 1863.

THE Representative of Holstein laid before the Diet, at its sitting yesterday, a detailed statement in writing embodying the observations he made at the sitting last week, as reported to your Lordship in my despatch of the 10th instant, with reference to the recognition by the Austrian and Prussian Governments of the right of the King of Denmark to separate the Duchy of Holstein from that of Schleswig.

A very warm discussion ensued, and some attempts were made to induce M. Dirchinck to withdraw the document, as calculated to lead to further discussion, as his conclusion could not be accepted without an answer being made to them. His Excellency, however, insisted that his observations should be recorded in the protocol of the sitting, which was accordingly done.

I have, &c.

(Signed) EDWIN CORBETT.

No. 92.

M. de Balan to M. Hall.—(*Communicated to Earl Russell by M. de Katte, July* 26.)

(Translation.) *Copenhagen, July* 17, 1863.

THE Undersigned, Envoy Extraordinary and Minister Plenipotentiary of Prussia, has the honour to make the following communication to Herr Hall, the Danish President of Council and Minister for Foreign Affairs.

The following Resolution was taken by the German Federal Assembly at its meeting of the 9th instant :—

(The Resolution follows*.)

The Government of the Undersigned assents to the request made to it in No. III of the Resolution, and gives notice thereof to the Danish Government by the present note, in the name of the German Confederation.

The Undersigned, &c.

No. 93.

Count Manderström to Count Wachtmeister.—(*Communicated to Earl Russell by Count Wachtmeister, July* 26.)

M. le Comte, *Stockholm, le* 19 *Juillet*, 1863.

LES préoccupations politiques d'un ordre supérieur, qui ces dernières semaines ont tenu les esprits des Cabinets Européens en éveil, et qui ont réclamé toute leur sollicitude, ont pu faire passer relativement inaperçus des faits qui, à une époque moins agitée, n'auraient point manqué d'éveiller l'attention générale. Au nombre de ceux-ci il en est un sur lequel nous croyons de notre devoir d'appeler la réflexion la plus sérieuse du Gouvernement de Sa Majesté Britannique. Il s'agit, comme il est facile de le supposer, de la nouvelle phase dans laquelle vient d'entrer la question Danoise par les Résolutions adoptées en dernier lieu par la Confédération Germanique, et par suite desquelles le Gouvernement Danois va recevoir prochainement, si même la communication n'a pas été déjà faite, une sommation de retirer, en dedans d'un terme de six semaines, la Patente du 30 Mars dernier, sous peine d'une Exécution Fédérale dans le Holstein.

Nous ne connaissons point encore la réponse que donnera le Gouvernement Danois, mais la résolution qu'il adoptera ne nous parait point pouvoir former l'objet d'une doute. Les choses en sont venues à un point où l'ingérence étrangère dans les affaires intérieures du Danemark devient réellement intolérable, et où les mesures les plus extrêmes lui paraissent préférables à un assujétissement que rien ne justifie, et auquel le peuple Danois ne se soumettrait point. Nous pouvons donc supposer que le Gouvernement Danois répondra que, par la Patente du 30 Mars, il a accordé au Duché de Holstein tous les droits réclamés en faveur de ce Duché par la Confédération Germanique, et qu'ainsi il a rempli toutes ses obligations Fédérales; qu'ayant au moyen de cette Patente réglé les relations réciproques des différentes parties de la Monarchie de manière à ce que la législation et les impôts des autres provinces fussent indépendants de ce qui pourra être décidé par le Holstein et le Lauenbourg, le Gouvernement Danois sera toujours disposé à mettre à exécution toutes les résolutions qui pourront être adoptées à Francfort concernant le régime intérieur de ces deux Duchés; mais que, tant par cette déclaration que par les libertés assurées au Holstein par la Patente du 30 Mais, non seulement toute raison d'être, mais aussi tout prétexte pour une Exécution Fédérale se trouvant écartés, le Gouvernement Danois ne pourrait envisager une pareille mesure que comme ayant un but absolument en dehors de la compétence de la Confédération, et par conséquent comme une agression hostile, à laquelle il serait de son devoir de s'opposer par tous les moyens qui sont à sa disposition.

Si telle était la réponse du Gouvernement Danois, et comme je viens de le dire, elle me parait fort probable, l'on ne saurait nier qu'elle ne fût fondée sur les faits. La prétention de la Confédération Germanique d'obtenir une Constitution commune pour toute la Monarchie est insoutenable, puisque c'est la Confédération elle-même et les Etats du Holstein qui ont rendu cet arrangement impossible. En ce qui concerne le Duché de Slesvig, il est de fait que le Gouvernement Danois, après la séparation administrative du Holstein, est disposé à étendre les libertés de cette province, et que jamais il n'a pris aucune mesure pour l'incorporer dans le Royaume; et en tout cas c'est là une question à l'égard de laquelle, quelles que puissent être les prétentions que l'Autriche et la Prusse peuvent se considérer justifiées à fonder sur les négociations de 1851 et 1852, la Confédération Germanique est tout à fait incompétente. Son désir mal déguisé de se mêler de cette question constitue cependant le danger de la situation, que nous ne pouvons considérer que comme fort critique, et comme s'approchant d'une crise qui ne pourrait que compromettre la paix du Nord, et bien probablement celle de l'Europe entière

Le Gouvernement du Roi s'est abstenu depuis longtemps de revenir sur cette question, mais il ne croit plus pouvoir garder le silence, et il considère comme un devoir de soumettre la situation à l'appréciation des Cabinets de Londres et de Paris. Il lui parait difficile qu'il puisse entrer dans les intentions de ces Cabinets, et surtout dans l'état actuel des négociations par rapport à la Pologne, qu'une guerre éclate dans le Nord déjà dans le courant de cette année, et cependant cette éventualité pourrait s'offrir dans peu de semaines si le Danemark ne trouvait point, dans l'appui de ces Cabinets, un rempart contre les mesures agressives de l'Allemagne. Nous ne nous permettons point de suggérer les moyens d'en prévenir ou d'en amortir les effets, mais nous croyons posséder un droit de nous prononcer sur cette question. Nous le fondons, en premier lieu, sur les sentiments d'amitié sincère qui nous lient aux deux Gouvernements auxquels nous nous adressons, et ensuite sur les graves conséquences que pourrait entrainer pour nous-mêmes un conflit auquel, par la force des choses, nous pourrions facilement être entrainés à ne point rester étrangers; puisque nos intérêts les plus chers ne

pourraient guères nous permettre de voir d'un œil tranquille écraser nos voisins, sous des prétextes qui, plus tard, pourraient mettre en danger notre propre indépendance.

Je vous engage, M. le Comte, à donner lecture de la présente dépêche à Lord Russell ; et si ce Ministre en exprimait le désir, vous êtes autorisé à lui en remettre une copie.

J'ai, &c.

(Signé) MANDERSTRÖM.

(Translation.)

M. le Comte, *Stockholm, July* 19, 1863.

THE political pre-occupations of a higher order which for the last few weeks have kept the minds of European Cabinets on the alert, and which have taken up all their attention, may have caused certain circumstances to pass unnoticed, which at a time of less agitation would not fail to have attracted general attention. Among the number is one to which we think it our duty to call the most serious attention of Her Majesty's Government. It relates, as may easily be supposed, to the new phase which the Danish question has entered, in consequence of the resolutions recently adopted by the Germanic Confederation, in virtue of which the Danish Government is shortly to receive (if, indeed, the communication has not already been made) a summons to recall within a term of six weeks the Patent of the 30th March last, under pain of a Federal Execution in Holstein.

We are as yet ignorant of the answer which the Danish Government will give, but it seems to us impossible to doubt what will be the resolution which it will adopt. Matters have come to a point where foreign interference in the internal affairs of Denmark becomes absolutely intolerable, and where the most extreme measures seem to it preferable to a state of constraint which nothing justifies, and to which the Danish people would in no way submit. We may therefore suppose that the Danish Government will reply that, by the Patent of the 30th May, it had granted to the Duchy of Holstein all the rights claimed in its favour by the Germanic Confederation, and that it had thus fulfilled all its Federal obligations ; that, having by means of this Patent determined the reciprocal relations of the different parts of the Monarchy in such a way that the legislation and the taxes of the other provinces should be independent of whatever may be decided for Holstein and Lauenburg, the Danish Government will always be disposed to put in execution all the resolutions which may be adopted at Frankfort, relative to the internal administration of these two Duchies ; but that, since by this declaration, as well as by the privileges which by the Patent of the 30th May, were secured to Holstein, not only all ground, but also every pretext for Federal Execution, were removed, the Danish Government could not regard such a measure except as having in view an end entirely beyond the competence of the Confederation, and consequently as an act of hostile aggression, which it would be its duty to oppose with all the means at its disposition.

If such were the reply of the Danish Government, and, as I have just said, it seems to me very probable, it cannot be denied that it would be founded on facts. The pretension of the Germanic Confederation to obtain for the whole Monarchy a common Constitution, cannot be maintained, for it is the Confederation itself, and the States of Holstein, which have rendered such an arrangement impossible. As regards the Duchy of Schleswig, it is a fact that the Danish Government, after the administrative separation of Holstein, is disposed to extend the liberty of that province, and that it has never taken any steps to incorporate it in the Kingdom ; and, in any case, that is a question in regard to which, whatever pretensions Austria and Prussia may think themselves justified in founding on the negotiations of 1851 and 1852, the Germanic Confederation is quite incompetent [to interfere.] Its ill-concealed desire to mix itself up in this question constitutes, however, the danger of the situation, which we cannot help looking upon as very critical, and as approaching a crisis which cannot fail to compromise the peace of the North, and very probably that of the whole of Europe.

The King's Government has for a long time refrained from recurring to this question, but it does not think that it can longer keep silence ; and it considers it a duty to submit the situation to the appreciation of the Cabinets of London and Paris. It appears to the Danish Government to be unlikely that it should enter into the intentions of these Cabinets, and especially in the present state of negotiations in regard to Poland, that a war should break out in the North in the course of this year ; and yet this consequence might take place in a few weeks if Denmark did not find, in the support of these Cabinets, a protection against the aggressive measures of Germany. We do not permit ourselves to suggest means to prevent or to moderate its effects, but we consider that we have a right to express our opinion on this question. We found it, in the first place, on the sincere sentiments of friendship which bind us to the two Governments to which we address ourselves, and next on the grave consequences to ourselves which a conflict might bring on, into which, by the force of circumstances, we might easily be dragged into taking an active part, since our dearest interests could scarce

permit us to view with a tranquil eye our neighbours crushed under pretexts which, later, might endanger our own independence.

I request, you, M. le Comte, to read this despatch to Lord Russell, and if that Minister should express the wish, you are authorized to furnish him with a copy.

I have, &c.

(Signed) MANDERSTRÖM.

No. 94.

Sir A. Paget to Earl Russell.—(Received July 27.)

My Lord, *Copenhagen, July* 22, 1863.

M. HALL has been good enough to communicate to me a translation of the vote delivered by the Danish Envoy at Frankfort in the sitting of the 9th of July, together with a translation of an ulterior declaration made by this Envoy at the same sitting, and I have the honour to inclose herewith copies of these translations.

As these papers are not long, I prefer referring your Lordship at once to them, to giving their substance. One fact comes out very clearly, viz., if an occupation of Holstein takes place with reference to the affairs of Schleswig, it cannot be considered as having in any manner the character of a Federal Execution. The language of the Danish Government, as I have on previous occasions reported to your Lordship, has long since been in entire conformity with this declaration.

The Austrian and Prussian Ministers delivered to M. Hall, on the 17th instant, the despatches from their Governments, embodying that part of the Resolutions of the Diet of the 9th instant, which relates to Schleswig. That part relating to Holstein has been communicated through the Danish Envoy at Frankfort.

Six weeks, as your Lordship is aware, are allowed to the Danish Government to reply as to whether they will withdraw the Royal Patent of the 30th of March. This delay will bring us to very nearly, if not quite, the time of the recess of the Diet. It is quite possible, therefore, and M. Hall seems indeed to think it probable, that no active steps will at all events be taken before the middle of October.

The reply of the Danish Government will be in conformity with the recent vote of their Envoy at Frankfort. They will absolutely refuse, as might be expected, to withdraw the Royal Patent.

Both naval and military preparations, though not on a very extensive scale, are being made to meet the emergency.

It is needless to say, however, that the Danish Government would much prefer any amicable means of coming to a solution, and I have some reason to think that in the event, for instance, of a Conference or a Congress being assembled on the affairs of Poland, M. Hall would not object to submit the questions pending with Germany to its arbitration.

I have, &c.

(Signed) A. PAGET.

Inclosures in No. 94.

Declarations made by the Danish Envoy at the Diet, July 9, 1863.

[See Inclosures 1 and 2 in No. 98.]

No. 95.

Sir A. Paget to Earl Russell.—(Received July 27.)

My Lord, *Copenhagen, July* 23, 1863.

THE Schleswig States were no sooner assembled than a vehement demonstration, on the part of the twenty-four members composing the German majority, brought the session virtually to a close.

This is what took place.

The town of Toender has hitherto returned a member belonging to the German Party, but at the last election brought in a member of Danish views.

On the opening of the session on the 17th instant, M. Hansen de Grumby, a member of

the Schleswig-Holstein Party, immediately got up, and inquired of the Royal Commissioner whether the Assembly would be allowed to verify the validity of the election of the new member for Toender, with a view to annulling it, grounding his inquiry on the assertion that the electoral lists had not been exhibited during the whole time prescribed by the law ; and moreover, that these lists had been incorrect, certain names of persons who had taken part in the war in the Duchies having, notwithstanding the amnesty, been removed, while others who had no right to be on the lists had been placed there.

The Royal Commissioner founded his reply on Articles 48 and 58 of the laws annexed to the Charter of Schleswig, according to which the members of the Estates have, in truth, the right to present objections against any election, but only in the case of a member being returned who does not fulfil the necessary qualifications, or in that of the Electoral College having rejected a person duly and properly elected. According to the same articles the Assembly has also the right to inquire into and decide upon the validity of the electoral lists, but its vote does not possess a retroactive effect, and only applies to the future. Consequently the Assembly had no right to annul the present election for Toender, on account of irregularities in the electoral lists, and the Royal Commissioner accordingly rejected M. Hansen de Grumby's demand. He was informed, however, that it was open to him to complain to the Government respecting the irregularities which had been committed.

Upon this M. Schmidt, another Schleswig-Holstein member, declared that he should throw up his mandate, and left the House, followed by the twenty-eight other members of the opposition.

The Royal Commissioner was obliged to adjourn the sitting, as in the absence of the twenty-four members, the number required to legalize the proceedings of the Estates could not be made up.

Although it is probable that none of the members who left the house will resume their parliamentary duties, it is necessary, of course, before finally closing the session, for the Government to be certain of their intentions on this point. As soon as they have done so, the decree for bringing the session to an end, which has, I believe, already been signed, will be carried into effect.

However slight the hopes which were entertained of any good resulting from the deliberations of the Schleswig Diet, no one I think could have been prepared for the proceedings which have now terminated the session. Whatever may be the facts respecting the election of Toender, and however anomalous may be the state of the law in the power which it gives to the Assembly over the electoral lists, there is no doubt whatever that the Royal Commissioner gave a correct interpretation to the law, and that he could not have acted otherwise than he did. The act, therefore, of the majority would appear wholly indefensible, and coming as it does immediately after the resolution of the Diet of Frankfort, in connection with the Royal Patent of the 30th of March, it bears very strongly the character of a combination concerted by the Schleswig-Holstein Party both in and out of the Danish Monarchy.

I have, &c.
(Signed) A. PAGET.

P.S. It appears that at the elections in Schleswig, substitutes to serve in the place of the members in the event of their death or other cause preventing their attendance at the Diet, are elected at the same time as the members. The Government have accordingly convoked the Diet to assemble again on the 30th instant, with the attendance of the substitutes for those who have now left.

A. P.

No. 96.

Sir A. Malet to Earl Russell.—(*Received July* 27.)

My Lord, *Frankfort, July* 24, 1863.

WITH reference to the actual state of the Danish Duchies question, I find that the period of six weeks within which the Danish Government is summoned to reply to the Diet's demand for withdrawal of the Decree of the 30th March, expires on the 26th August.

Should that reply be unsatisfactory, the form of procedure will require that a proposition be laid before the Diet as to the next step to be taken, and, according to the usual course, fourteen days must elapse before such proposition can be voted upon. In cases of urgency this delay is sometimes shortened.

Presuming that Execution is voted, a farther delay of six weeks is prescribed by the rules

of the Diet (after notification of the vote has been made to the Government concerned) before proceeding to military occupation.

There exists, however, a party in the Diet which contends that notice of Execution was already given to Denmark in 1861, and that therefore this term may be curtailed; but it is improbable that this serious step will be precipitated.

Referring to Mr. Corbett's despatches of the 10th and 15th of July, I find that in the former he stated that the term of six weeks was to be given to the Danish Government to answer the Diet's summons, and that in the latter he informed your Lordship that the Diet's resolution had been communicated to M. Dirchinck on that day. The six weeks are, therefore, to be computed from that date. These data will bring the term of Execution, if regularly proceeded with, to the 15th of October.

I have, &c.
(Signed) A. MALET.

No. 97.

Sir H. Howard to Earl Russell.—(*Received July* 27.)

My Lord, *Hanover, July* 25, 1863.

AT an interview which I had with Count Platen yesterday, he referred in strong terms of condemnation to the conduct of the Danish Commissary to the Schleswig Diet, in forbidding the consideration by the Assembly of the question of the invalidity of the election of one of its members, a course which showed the arbitrary disposition of the Danish Government, and had induced the German majority te resign their seats.

On my part I called his Excellency's attention to the intemperate nature of the resolutions passed at a meeting held on the 18th instant at Hamburgh, at which 500 Schleswig-Holsteiners are said to have been present, invoking powerful action on the part of the German Diet, with a view to the eventual reunion of the Duchies.

Count Platen replied that no persons of note had attended that meeting, which, for anything he knew, might in part have been composed of friends of the Duke of Augustenburg and Hamburghers.

On my questioning his Excellency as to the feeling of the principal landed proprietors in Holstein in respect to a Federal Execution, his Excellency said that what they naturally preferred was that the King of Denmark should give way and withdraw his Patent of the 30th of March last, but that they would cheerfully accept an Execution rather than see the present state of things endure; and their liberty continue to be restrained.

His Excellency observed that he hardly believed it was the intention of the Danish Government to resist a Federal Execution, as it had been reported they would, on the banks of the Elbe. Should they do so, the only difference would be that the German Diet, instead of only sending a Commissioner with a brigade as escort to Holstein, would have to send 60,000 men.

I did not fail to represent to his Excellency the serious complications and consequences which such a course on the part of Germany might entail in the present state of Europe, but he answered that the German people were determined to be no longer trifled with, and that the German Diet would be under the necessity of acting, regardless of the consequences, if the King of Denmark should not give way. His Excellency expressed the belief that the King himself would not be disposed to push matters to extremities, but he seemed to apprehend the influence which M. Hall might exert over His Majesty in a warlike sense.

I have, &c.
(Signed) HENRY HOWARD.

No. 98.

M. de Bille to Earl Russell.—(*Received July* 30.)

My Lord, *Legation of Denmark, July* 30, 1863.

I BEG leave to inclose to your Excellency translations of the declarations made by the Danish Envoy to the Diet at Frankfort on the 9th of this month on the occasion of the vote then taken in the matter of the Duchies of Holstein, Lauenburg, and Schleswig.

I have, &c.
(Signed) TORBEN BILLE.

Inclosure 1 in No. 98.

Declaration made by the Danish Envoy on giving his Vote at the sitting of the Diet on the 9th July, 1863.

(Translation.)

HIS Majesty's Envoy has already on the presentation to the Diet of the Report of the Committees remarked, that that report contained considerable errors and misapprehensions. This is true, not only in respect to the historical review contained in it, but also in respect to the manner in which the Royal Ordinance of March 30 last, the immediate cause of the present debates, has been interpreted by it. His Majesty's Government cannot but regret that an important Federal Resolution should have been based on premises that are in part inexact, without any opportunity having been offered His Majesty's Envoy for explaining the misapprehensions.

At present His Majesty's Envoy is obliged to confine himself to indicate the views of His Majesty's Government in respect to the propositions which have been submitted.

The Report treats as well of the non-German Duchy of Schleswig as of the Duchies of Holstein and Lauenburg belonging to the Germanic Confederation. It expressly admits, however, that the demands framed with respect to the first-named Duchy are not of a Federal, but exclusively of an international character. In taking note of this incontrovertible fact His Majesty's Government must, in consequence of that very fact, protest against the attempt to make the affairs of Schleswig the subject of discussion in the Federal Diet, and reserve to his Government all that is needful in this respect.

When the Report goes on to state that the different character of the pretended rights of the Confederation shows its effect also in this, that a Federal procedure cannot be applied to Schleswig, His Majesty's Envoy must complete the statement by remarking, that it follows of course that any occupation of Holstein, intended to support pretended rights in respect to Schleswig, cannot at all lay claim to the character of a Federal Execution.

With reference to the Duchy of Holstein His Majesty's Envoy must, for the sake of completing and correcting the historical review contained in the Report, refer to the explanations and arguments previously presented by His Majesty's Government. But he must specially protest against the double point of view taken in the Report, namely, in sometimes referring to the arrangements of 1851-52, and requiring their execution, and at other times in demanding the fulfilment of the Federal Resolutions of March 8, 1860, and of February 7, 1861, whilst both these cases are irreconcilable with one another. The above-named arrangements, namely, took for granted the establishment of a common representation for the whole Monarchy, whilst the creation, by His Majesty's Government, of such a representation has been rendered impossible by the Confederation in respect to the Duchies of Holstein and Lauenburg.

His Majesty's Government have, therefore, been obliged to seek for some other solution. Conformable to the Federal Resolutions of March 8, 1860, and February 7, 1861, the Royal Ordinance of March 30, this year, promised the Duchy of Holstein an extensive autonomy, and thus afforded a complete guaranty for its own legislature and its own financial interests.

A double legislature in the same Monarchy may, indeed, result in the necessity of abolishing that community which hitherto existed, but His Majesty's Government hope that the Confederation does not entertain the idea of pretending to wield the power of paralysing at its pleasure the free will and free action of those parts of the Danish State which form no part of the Germanic Confederation. Any attempt to bring about by force such a state of things cannot be looked upon as a legal measure of Federal Execution.

When the Report pretends to include the demand it makes under the legal prescriptions for Federal Executions His Majesty's Government must observe, that the judicial and executive competency of the Confederation has its limits in the Federal Treaties to which the King of Denmark in past times has acceded as Duke of Holstein. But the pretensions which are said to be deduced from the arrangements of 1851-52 rest on quite another foundation, having no Federal character whatever. If the Confederation pretends to have acquired international rights as to Holstein, it follows, of course, that the Confederation can only enforce those rights by measures of an international character.

His Majesty's Envoy, appealing to the considerations above set forth, must vote against the present propositions, and, protesting in the name of His Majesty's Government, he must enter a reservation of all the rights of the King.

There only remains for him to add, that in so far as the Report also concerns Schleswig his reception of the Resolution, if adopted, for communication to his Government will only have reference to those parts of it which apply to the Federal territories of Holstein and Lauenburg.

Inclosure 2 in No. 98.

Further Declaration made by the Danish Envoy at the sitting of the Diet on July 9, 1863.

(Translation.)

REFERRING to the protest accompanying his vote in the Protocol, His Majesty's Envoy finds it proper, in consequence of the votes and declarations given by the Envoys of the Grand Duchy of Baden, of the Grand Ducal and Ducal Houses of Saxony, of the Grand Duchy of Oldenburg, and especially with reference to the vote and declaration of the Envoy of the Grand Duchy of Hesse, to add the following :—

Inasmuch as the first of these votes in everything essential takes the same ground as the proposition made by Oldenburg, in which the following passage occurs :—

" May it please the High Federal Assembly to revoke all the concessions made to the Royal Ducal Government in the arrangements of 1851-52."

And inasmuch as according to the tenour of this proposition it appears that by the so-called concessions is understood the severance of the administrative and legislative link which previously had existed between the Duchies of Holstein and Schleswig ; and the vote of the Envoy of the Grand Duchy of Hesse even goes so far as to suggest, as something which eventually might be effected, the re-establishment of that link, His Majesty's Envoy deems it necessary to call to mind the text bearing upon this subject, to wit the second passage of the second paragraph of the Annex to the Austrian despatch of December 26, 1851, to which the Prussian Government adhered, and which served as rule for the Federal Resolution of July 29, 1852.

The words of that passage are the following :—

" When, on the other hand, His Majesty the King of Denmark considers the further declarations made by the Government of his predecessor in the Federal Diet on September 7, 1846, and acknowledged as satisfactory by its Resolution of the 17th of the same month, according to which King Christian VIII did not contemplate any change in the relations then connecting the Duchy of Holstein with the Duchy of Schleswig as no longer compatible in all points with the present state of things ; and in particular states his conviction that the connexion between the two Duchies, in reference to administration and supreme judicature, which had existed particularly since 1834, but already been practically dissolved in consequence of the late events, must remain dissolved also in future ; the Imperial Court on its side acknowledges that the aforesaid declaration of September 7, 1846, pre-supposed the then existing state of things in the Danish Monarchy, and did not have the legal effect of making dependent on the consent of the Confederation the eventual decisions which the King, with regard to that connexion by virtue of his sovereign rights, might take under altered circumstances, and without interfering with the legal competence of the Germanic Confederation. The Imperial Government, therefore, on its part, will not oppose the dissolution of the aforesaid connexion, and will use its influence to prevent the measure being opposed by the Federal Diet."

After this citation it may be unnecessary for His Majesty's Envoy to remark that there can in this matter be no question whatever of any concession, but quite the contrary, only of an absolute acknowledgment of the sovereign rights of His Danish Majesty, which at that period existed as they still exist in all their plenitude.

No. 99.

Earl Russell to Lord Bloomfield.

My Lord, *Foreign Office, July* 31, 1863.

I SEND you a despatch I have received from the hands of His Swedish Majesty's Envoy at the Court of Her Majesty.*

These matters are becoming serious. There can be little doubt that Denmark will regard the advance of German troops into Holstein as a hostile invasion and not as a Federal Execution. It is also clear that she will be supported by Sweden. It is a great misfortune that in 1861 Austria and Prussia should have rejected the proposal of Denmark to settle the Holstein dispute in the first instance. The resolution taken by Germany not to agree to any proposition respecting Holstein, unless the Schleswig question were settled at the same time, gives Denmark ground for maintaining that Federal Execution in Holstein means invasion in Schleswig.

Would it not be possible even now to separate the two questions; to point out the defects of the Danish Letters-Patent of March 30 in regard to Holstein, without touching the question of Schleswig? That very difficult question might be left, as it ought to be, to European negotiation.

You will communicate these views to Count Rechberg, and tell him that if Germany persists in confounding Schleswig with Holstein, other Powers of Europe may confound Holstein with Schleswig, and deny the right of Germany to interfere with the one any more than she has with the other, except as a European Power.

Such a pretension might be as dangerous to the independence and integrity of Germany, as the invasion of Schleswig might be to the independence and integrity of Denmark.

The calm consideration of the existing difficulties will, it is to be hoped, induce Austria to consult the European Powers before she impels the Diet to a definitive resolution.

I am, &c.
(Signed) RUSSELL.

No. 100.

Mr. Jerningham to Earl Russell.—(*Received July* 31.)

(Extract.) *Stockholm, July* 24, 1863.

THE King and Prince Augustus left this capital for Denmark, viâ Gottenburg and Helsingborg, on the 20th instant, according to the plan which I have had the honour of announcing to your Lordship; and it is understood that Prince Oscar, who has of late been very actively visiting the defensive stations of the country, was to join the Royal party at Skodsborg or Beskoskog, if not at both of those regal residences.

I have reason to believe that the advice which His Majesty, in accordance with the Ministry, has decided on giving to the King of Denmark, with regard to the question of Holstein, is to offer no armed opposition to what the Germanic Diet may undertake in that Duchy, but to oppose instantly by force any attempt on their part to pass the Eider.

No. 101.

Sir A. Paget to Earl Russell.—(*Received August* 1.)

(Extract.) *Copenhagen, July* 29, 1863.

AS far as Holstein is concerned, M. Hall said that the Danish Government is prepared to comply with any demand, founded on Federal right, which the Confederation can put forward; but that they are determined to resist any attempt, direct or indirect, on the part of the Diet to interfere in the other parts of the Monarchy, or to arrogate to itself the rights which appertain exclusively to His Danish Majesty, and that such would be the nature of the reply they would communicate to the Diet.

No. 102.

Earl Cowley to Earl Russell.—(*Received August* 1.)

My Lord, *Paris, July* 31, 1863.

A DESPATCH upon the Schleswig-Holstein question, identic to all appearance with that addressed on the 19th instant by Count Manderström to Count Wachtmeister, has been received and communicated to M. Drouyn de Lhuys by the Swedish Minister here. M. Drouyn de Lhuys has not yet replied to it, but he proposes to do so shortly, and at the same time to deprecate at Frankfort, Vienna, and Berlin, the recourse to violent measures. His Excellency expressed himself as desirous of acting in concert with Her Majesty's Government in this matter.

I have, &c.
(Signed) COWLEY.

No. 103.

Earl Cowley to Earl Russell.—(*Received August* 3.)

My Lord, *Paris, August* 1, 1863.

I HAVE communicated to M. Drouyn de Lhuys, as authorized by your Lordship's telegram, your despatch of the 31st ultimo to Lord Bloomfield on the present phase of the question

relating to the Danish Duchies. His Excellency expressed his approbation of your Lordship's wise advice, and said he would write in a similar sense.

I have, &c.
(Signed) COWLEY.

No. 104.

Sir A. Malet to Earl Russell.—(*Received August* 3.)

My Lord, *Frankfort, August* 1, 1863.

BY all I can learn of the intentions of the Diet as to the Danish Duchies questions, the periods mentioned in my despatch of the 24th of July, are likely to be observed in reference to any proceedings taken by the Diet.

The probability even is, that the step of Military Execution will be preceded by that of sending Commissioners, and in this way, if Germany finds that Denmark is determined not to submit to demands which it appears to be resolved to press to a conclusion, war will be staved off till the winter, as I had the honour of stating to your Lordship, would most likely be the case, in my despatch of the 16th May.

I am told by those who know the temper of the Danes on this question well, that the Commissioners of the Diet will not be admitted into Holstein. Should this be the case Germany would not only have a stronger case against the Cabinet of Copenhagen, but such irritation would be created that I apprehend it would be impossible to stay the Diet from taking strong measures. As it is, the liberal party will be dissatisfied at any delay of Execution if (as seems a foregone conclusion) the Danish reply to the summons to withdraw the Decree of the 30th March is unsatisfactory.

I have, &c.
(Signed) A. MALET.

No. 105.

Sir A. Malet to Earl Russell.—(*Received August* 3.)

My Lord, *Frankfort, August* 1, 1863.

THE only business of any interest transacted in the sitting of the Diet held on Thursday the 30th instant, was the laying before the Assembly the identical notes, dated 17th July, by which Austria and Prussia communicated to M. Hall the Diet's decision of the 9th July, as reported to your Lordship in Mr. Corbett's despatch of the 15th ultimo.

I have, &c.
(Signed) A. MALET.

No. 106.

M. Hall to M. de Balan.—(*Communicated to Earl Russell by M. de Katte, August* 10.)

(Translation.) *Copenhagen, July* 24, 1863.

THE Undersigned does not fail to notify hereby the punctual receipt of the note of the 17th instant, by which the Envoy Extraordinary and Minister Plenipotentiary of Prussia communicates to the King's Government a copy of the motives and conclusions of the Resolution adopted by the Federal Assembly at its sitting of the 9th instant, relative to the Holstein-Lauenburg Constitution question.

The King's Government has already had sufficient opportunity to express itself both upon the tenour of the claims advanced by the German Confederation with respect to the Duchy of Schleswig, and upon the form in which they have been asserted, and the Undersigned therefore can do no more here than simply refer to the declarations and protestations made; and for the rest he takes this opportunity to repeat, &c.

(Signed) HALL.

No. 107.

Lord Bloomfield to Earl Russell.—(*Received August* 10.)

(Extract.) *Vienna, August* 6, 1863.

IN pursuance of the instructions contained in your Lordship's despatch of the 31st ultimo, I have stated to Count Rechberg the hopes of Her Majesty's Government that a Federal Execution in Holstein would not take place this year, and that the Imperial Government, in face of other dangers in Europe, would exercise its influence at Frankfort to prevent the Diet from taking a definite resolution.

His Excellency replied that he had been prepared for a communication from Her Majesty's Government in this sense, but that he did not see how Germany could be called upon to abandon a course which was in conformity with the laws and usages of the Diet.

His Excellency is as unwilling as ever to admit that the interests of Schleswig are disconnected from those of Holstein, and consequently of Germany, and he considers that as they have been mixed together for so long past, it is impossible for Germany to abandon its right to interfere. He added that no question ever could arise on the right of Succession to the Danish Monarchy, for Schleswig and Holstein would go together on the next demise of the Crown with the other component parts of the kingdom. The Act of the Great Powers of 1852 had clearly established this point, and he asked, as the Succession to the Crown was secured, why should not the King of Denmark make some administrative arrangements and concessions that would conciliate a now dissatisfied population, and consolidate his power?

Count Rechberg is evidently unwilling to hold out hopes that the proceedings of the German Diet can be arrested; he thinks, on the contrary, that the Danish Patent of the 30th March can still be modified.

Before leaving his Excellency, I informed him that the Swedish Government would not remain indifferent to a Federal Execution in Holstein, and that this measure of the Diet, if persisted in, might have serious consequences in Europe.

No. 108.

Mr. Jerningham to Earl Russell.—(*Received August* 12.)

(Extract.) *Stockholm, August* 4, 1863.

COUNT MANDERSTRÖM has read to me a despatch from Count Wachtmeister, dated the 27th ultimo, reporting a conversation with your Lordship upon his communicating Count Manderström's despatch of the 19th ultimo, regarding the present phase of the question between Denmark and Germany relative to Holstein.

The three principal statements in Count Wachtmeister's communication appeared to me to be, that your Lordship had declined agreeing completely with Count Manderström's approval of the acts of the Danish Government; that your Lordship had expressed the difficulty of saying precisely what steps would have to be taken by other Governments, were the Germanic Confederation to invade Schleswig; and that your Lordship had repeated your opinion that Denmark's chief and immediate object ought to be the thorough fulfilment of her engagements respecting that Duchy.

Upon the point last mentioned Count Manderström stated his entire concurrence, adding that he had continually pressed it upon the Danish Government.

No. 109.

Mr. Hamilton to Earl Russell.—(*Received August* 15.)

My Lord, *Stockholm, August* 9, 1863.

I HAVE the honour to state that I have been informed, on undoubted authority, that at the last Cabinet Council held before the departure of the King of Sweden for Denmark, it was resolved to make a demand to the Diet for 6,000,000 rix-thalers, in order that the Government might be prepared for any eventualities.

I have, &c.

(Signed) FRED. HAMILTON.

No. 110.

Lord Bloomfield to Earl Russell.—(*Received August* 15.)

(Extract). *Vienna, August* 13, 1863.

WITH reference to my despatch of the 6th instant, I have the honour to inform your Lordship that at the interview which I had with Count Rechberg, previously to his Excellency's departure, I inquired if he had written to Count Apponyi on the question of a Federal Execution in Holstein. He replied that his attention had been so engrossed with the great object of the approaching meeting at Frankfort, that he had not been able to do so, but that he would write shortly. I repeated what I had said on a former occasion to his Excellency, that I hoped he would find means of removing the anxiety felt by Her Majesty's Government in this matter, but I regret to have to report that his answer was far from satisfactory, for he still maintains that the question rests with Denmark. He observed that she had engagements to fulfil towards Germany and must take the consequences if she refused to withdraw the Patent of the 30th of March, adding that he thought the influence of Her Majesty's Government might be advantageously and effectually exercised at Copenhagen, to obtain a modification of the Royal Edict.

No. 111.

Sir A. Paget to Earl Russell.—(*Received August* 24.)

My Lord, *Copenhagen, August* 20, 1863.

I INADVERTENTLY omitted to mention to your Lordship, with reference to the postscript of my despatch of the 23rd ultimo, that of the substitutes summoned to replace the Members of the Schleswig Diet who had given up their seats, only four made their appearance on the day when the Assembly met again.

There were not, therefore, a sufficient number of members present to transact business, and the session was brought to a close by the Royal Commissioner.

When such is the conduct of the Schleswig Deputies, it is hardly consistent with a spirit of impartiality to hold the Danish Government solely responsible for the continuance of what may be unsatisfactory in the state of things which exists in that Duchy.

I have, &c.

(Signed) A. PAGET.

No. 112.

Earl Russell to Mr. Lowther.

(Extract.) *Foreign Office, August* 26, 1863.

I INCLOSE for your information a copy of a despatch which I have addressed to Her Majesty's Ambassador at Vienna,* relative to the proceedings of Austria and Prussia with regard to the Danish Duchies. You may read this despatch to the Prussian Under-Secretary of State for Foreign Affairs.

No. 113.

Sir A. Malet to Earl Russell.—(*Received August* 29.)

My Lord, *Frankfort, August* 27, 1863.

I HAVE the honour to inform your Lordship that the Danish reply to the Diet's summons of the 15th July, to withdraw the Decree of 30th March, was presented to the Diet in the sitting held this day.

The Netherlands Envoy, in consequence of M. Dirchinck-Holmfeldt being indisposed, was the organ of this communication which has been at once referred to the joint committees.

I learn that the reply is couched in firm but temperate language, declaring the

* No. 99.

inability of the Danish Government to withdraw the Decree, but professing the wish to satisfy the demands of the Diet, in so far as they do not affect the independence or integrity of the Danish monarchy.

No allusion whatever is made to Schleswig, but Mr. Hall declares that in giving so large a degree of autonomy to Holstein, Denmark was justified in thinking the Diet's demands had been sufficiently met.

The document ends by an expression of readiness to furnish any further explanations that may be required.

In the absence of the Danish Envoy, there was no discussion, and the course I have already had the honour of pointing out as prescribed by the Diet's regulations of referring the matter to the Committees, has been taken, nor is it probable they will be prepared to report upon the matter in less than fourteen days.

I have, &c.
(Signed) A. MALET.

No. 114.

Sir A. Paget to Earl Russell.—(Received August 31.)

My Lord, *Copenhagen, August 27, 1863.*

M. HALL has had the goodness to give me to-day a translation of the answer of the Danish Government to the Resolution adopted by the Diet of Frankfort in the sitting of the 9th of July last, and which called upon the Danish Government to withdraw, within the period of six weeks, under penalty of a Federal Execution, the Royal Patent of the 30th of March last, regulating the future position of Holstein in the Danish Monarchy.

This answer, the translation of which is without date, as will be seen by the copy I have the honour herewith to inclose, was agreed to by His Majesty in Council on Saturday last the 22nd instant, was despatched hence on Monday, and is to be delivered at the Diet this day.

Your Lordship must be more or less prepared, from my previous Reports, for its general purport.

The Danish Government decline to withdraw the Royal Patent. They give a brief sketch of the circumstances and motives which led to it. They declare themselves animated by the sincere desire of avoiding any cause of conflict with the Confederation, and for this reason they have instructed the King's Envoy at Frankfort to give every explanation that may be required relative to the different dispositions of the Patent, which explanations they trust may have for effect to change in a notable manner the view at present taken of the act in question.

The Danish Government declare themselves, moreover, not only ready to take into serious consideration any proposition which may be made to them concerning the Duchies of Holstein and Lauenburg, but also to execute in the said Duchies any Decree of the Diet which may not be incompatible with the inalienable sovereignty of the King of Denmark over the Federal territory, and may not interfere with the free exercise of legislative power in those parts of the Monarchy which do not belong to the Confederation.

As regards the possibility of a Federal Execution, the Danish Government refer to their former Declaration of the 9th of July, and add that in whatever manner the Diet may judge the limits of its competence, no doubt can exist on the point, viz., that from the moment that the Government of the King of Denmark has recognized the political autonomy of the Federal Duchies, and has declared itself ready to negotiate as to the manner of realizing this autonomy "une telle éventualité (the Execution) ne pourrait jamais être envisagée autrement qu'au point de vue du droit international."

I have, &c.
(Signed) A. PAGET,

Inclosure in No. 115.

Danish Answer to Federal Summons.

(Traduction.)

LORSQUE pendant les négociations de 1851-52 le Gouvernement Royal exprima l'intention de réunir toutes les parties de la Monarchie Danoise en un état unitaire consti-

tutionnel et dans des conditions homogènes, il agissait ainsi dans la présupposition, naturelle et expressément admise des deux côtés, que, d'une part, les rapports du Duché de Holstein et de Lauenbourg avec la Confédération Germanique n'étainet pas incompatibles avec la position indépendante d'une Monarchie unitaire Danoise dans le système des Etats Européens, et que, de l'autre, l'entrée de ces Duchés dans une communauté de représentation constitutionnelle avec les autres parties de l'Etat pouvait se concilier avec les droits et les lois de la Confédération, ce qui a été effectivement reconnu par arrêté de la Diète Fédérale.

Le Gouvernement Royal ne s'engagera pas ici dans une exposition détaillée de toutes les démarches qu'il a faites pour réaliser l'intention du Roi, ou de toutes les difficultés qui se sont opposées à son action. Toutes ces circonstances sont suffisamment connues de la Confédération, et ont déjà trop souvent donné lieu à des dissentiments sur lesquels le Gouvernement du Roi ne souhaite point revenir.. Mais il ne saurait y avoir de divergence d'opinion sur ce fait que depuis cette époque un changement essentiel s'est opéré dans les vues concernant la position et le but de la Confédération Germanique, et par suite dans la manière de comprendre ses droits sur les territoires Fédéraux appartenant à la Monarchie Danoise. Aussi le Gouvernement Royal croit simplement constater un fait en affirmant que les présuppositions de 1851-52 ne se sont pas réalisées, et que par conséquent il s'est vu réduit peu à peu à l'alternative de renoncer, soit à l'indépendance de la totalité de la Monarchie Danoise, soit à l'union plus étroite qu'il avait projetée entre les territoires Fédéraux et les autres parties de l'Etat, alternative qui ne laisse pas de choix au Gouvernement Royal.

Ce que le Duché de Lauenbourg avait possédé sans interruption et sans trouble depuis son adjonction à la Couronne de Danemark, le Duché de Holstein l'a obtenu par la Charte du 11 Juin 1854, savoir : la garantie constitutionnelle de son autonomie dans toutes ses affaires particulières, selon l'acceptation la plus étendue de ce mot. Le Gouvernement du Roi s'est en outre déclaré prêt à accorder à cette constitution particulière le libre développement que comportent les bases libérales de la vie politique de la Monarchie. D'autre part, la position donnée aux territoires Fédéraux par rapport aux affaires communes de la Monarchie n'aurait pu entraver Sa Majesté le Roi dans l'accomplissement consciencieux de tous les devoirs Fédéraux acceptés par elle, pas plus que le développement particulier et les intérêts financiers des Duchés n'auraient été compromis par leur participation à la constitution commune.

Si dans ces circonstances le Gouvernement du Roi a accordé à un territoire qui jusqu'alors n'avait connu qu'une existence provinciale, et dont le droit ne comportait pas d'autre position dans la Monarchie que celle d'une province, s'il a accordé à ce territoire une individualité politique et l'autonomie constitutionnelle jusque dans les affaires qui jusque-là avaient été communes, il ne s'est déterminé à faire ce sacrifice que par deux motifs que voici : d'une part il a voulu se rendre aux vœux exprimés par la population Holsteinoise dont les représentants se sont depuis de longues années et de mille manières opposés à l'établissement d'une représentation constitutionnelle commune embrassant le Holstein aussi ; d'autre part, il a voulu donner satisfaction aux exigences de la Confédération Germanique, qui, afin d'assurer l'autonomie et l'égalité de droits du Holstein et du Lauenbourg, a demandé par les arrêtés du 8 Mars, 1860, et du 7 Février, 1861, "qu'aucune loi relative aux affaires communes, et notamment en affaires financières, ne soit promulguée pour les Duchés, si elle n'a obtenu l'assentiment des Etats."

C'est cela même, en effet, qui a été établie par l'Ordonnance Royale du 30 Mars dernier et à peu près dans les mêmes termes. Le principe mis en œuvre par cette organisation, la Confédération Germanique ne pourra pas raisonnablement le méconnaître, puisqu'elle l'a elle-même mis en avant. L'égalité des droits et l'autonomie des territoires fédéraux ne sauraient certainement recevoir une consécration et une garantie plus complètes que dans la voie où le Gouvernement Royal s'est engagé, et toute espèce de doute doit cesser sur la question de savoir si la connexion du Holstein avec la Monarchie Danoise entravera ou non l'accomplissement des obligations Fédérales de Sa Majesté, depuis que l'autonomie générale a été accordée aux Duchés Fédéraux. Déjà autrefois le Roi a annoncé la disposition où il est d'accorder à ses sujets Holsteinois de participer pleinement au développement plus libre que l'avenir pourrait réserver à l'Allemagne et à la Confédération germanique. Comme la réalisation de cette intention présuppose une position du Holstein pareille à celle qui a été assigné au Duché par l'Ordonnance du 30 Mars, cette considération semble bien faite aussi pour amener l'Allemagne à apprécier la véritable portée de cette Ordonnance, portée que les augustes collègues confédérés de Sa Majesté pourront difficilement méconnaître, surtout depuis les événements les plus récents en Allemagne.

Le Gouvernement du Roi est animé du sincère désir d'écarter toute cause d'un conflit qui trouble depuis trop longtemps, hélas ! la paix entre des pays voisins et unis par des

liens étroits. C'est pourquoi, tout en se déclarant, pour les causes précitées, hors d'état de révoquer l'Ordonnance du 30 Mars dernier, il a chargé l'Envoyé du Roi de donner à la Confédération toutes les explications qu'elle pourrait désirer sur les différentes dispositions de l'Ordonnance. Le Gouvernement du Roi aime à espérer qu'une pareille analyse changera d'une façon notable les vues de la Diète Fédérale sur l'acte en question.

Il n'hésite pas au surplus de se déclarer prêt, non-seulement à prendre en très-sérieuse considération toute proposition concernant les Duchés de Holstein et de Lauenbourg, mais encore à mettre en œuvre dans les dits Duchés les arrêtés de la Diète qui ne seraient pas incompatibles avec l'inaliénable souveraineté de Sa Majesté le Roi sur ses territoires Fédéraux, ni ne voudraient entraver le libre jeu du pouvoir législatif dans celles des parties de la Monarchie qui n'appartiennent pas à la Confédération.

Pour ce qui regarde la possibilité d'une Exécution Fédérale prochaine dont il est question en dernier lieu dans l'Arrêté Fédérale, le Gouvernement du Roi doit se référer à sa déclaration du 9 du mois dernier. De quelque façon que la Haute Assemblée Fédérale juge sur les limites prescrites à sa compétence par les actes Fédéraux, aucun doute ne peut règner sur ce point-ci, savoir : que du moment que le Gouvernement du Roi a reconnu l'autonomie politique des Duchés Fédéraux, et du moment qu'il s'est déclaré prêt à entrer en négociations s'il le faut sur la réalisation de cette autonomie, une telle éventualité ne pourra jamais être envisagée autrement qu'au point de vue du droit international.

(Translation.)

WHEN, during the negotiations of 1851-52, the Royal Government expressed its intention of uniting all the parts of the Danish Monarchy into one State, united constitutionally, and under homogeneous conditions, they acted thus under the presupposition, which was naturally and expressly admitted on both sides, that, on the one hand, the relations of the Duchy of Holstein and Lauenburg with the Germanic Confederation, were not incompatible with the independent position of an united Danish Monarchy in the system of European states, and that, on the other, the entrance of these Duchies into a community with other states, as regards constitutional representation, might be reconciled with the rights and laws of the Confederation, as was expressly recognised by a Decree of the Federal Diet.

The Royal Government will not enter here into a detailed exposition of all the steps which they have taken in order to realise the intention of the King, or of all the difficulties which have opposed their action. All these circumstances are sufficiently well known to the Confederation, and have already too often given rise to disputes to which the Government of the King do not wish to revert. But there can be no difference of opinion on this point, that, since that time, an essential change has taken place in the opinions respecting the position and object of the Germanic Confederation, and consequently in the way of interpreting their rights over the Federal territories which belong to the Danish Monarchy. And the Royal Government believe that they are simply stating a fact, when they affirm that the pre-suppositions of 1851–52 have not been realized, and that consequently they have been gradually reduced to the alternative of renouncing either the independence of the whole of the Danish Monarchy, or the closer union which it had meditated between the Federal territories and the other parts of the State, an alternative which leaves no choice to the Royal Government.

All that the Duchy of Lauenburg had possessed without interruption and without trouble since its union with the Crown of Denmark, the Duchy of Holstein obtained by the Charter of June 11, 1854, viz.: the constitutional guarantee of its autonomy in all its special affairs, in the widest sense of the word. The Government of the King, moreover, declared themselves ready to grant to that special constitution, the free development which would be in accordance with the liberal foundations of the political life of the Monarchy. On the other hand, the position given to the federal territories with respect to the common affairs of the Monarchy, would not have embarrassed His Majesty the King in the conscientious performance of all the federal duties which he has accepted; nor would the individual development and the financial interests of the Duchies have been compromised by their participation in the common constitution.

If under these circumstances the Government of the King have granted to a territory, which had hitherto only had a provincial existence, and which in truth had no right to any other position in the Monarchy than that of a province, if they have granted to this territory a political, individuality and a constitutional autonomy, even with respect to things which had hitherto been common, they only resolved upon this sacrifice for the

two following motives: on the one hand, they wished to comply with the expressed wishes of the people of Holstein, whose representatives have for many years and in a thousand ways opposed the establishment of a common constitutional representation which should comprehend Holstein; on the other hand, they wished to satisfy the demands of the German Confederation, which, in order to insure the autonomy and the equality of rights of Holstein and Lauenburg, had required by the resolutions of March 8, 1846, and of February 7, 1861, "that no law relating to common affairs, and particularly to financial affairs, should be promulgated for the Duchies, unless it has obtained the consent of the Chambers."

And this, in truth, was also established by the Royal Ordinance of the 30th of March, and almost in the same terms. The German Confederation cannot reasonably disavow the principle brought into operation by this organisation, since they themselves first brought it forward. The equality of the rights and the autonomy of the federal territories would certainly receive no more complete consecration and guarantee than they do by the course now followed by the Royal Government, and every doubt ought to cease as to whether the connection of Holstein with the Danish Monarchy will or will not interfere with the fulfilment of His Majesty's federal obligations, now that a general autonomy has been granted to the federal Duchies. Already, some while ago, the King announced his intention of allowing his Holstein subjects to participate fully in any freer development which might be reserved in future for Germany and the Germanic Confederation. As the realization of this intention presupposes that Holstein should be in a position like that assigned to the Duchy by the Ordinance of March 30, this consideration seems well adapted to bring Germany to appreciate the true object of this Ordinance, an object which His Majesty's august Confederate Colleagues can hardly refuse to acknowledge, especially after the late events in Germany.

The Government of the King are sincerely desirous of removing all the causes of a conflict, which has, alas! too long disturbed the peace of two neighbouring and closely connected countries. And therefore, although declaring themselves unable on account of the above-mentioned reasons, to repeal the Ordinance of the 30th of March last, yet they have charged the King's Envoy to give to the Confederation all the explanations which they might desire with respect to the different provisions of the Ordinance. The King's Government indulges in the hope that such an analysis will notably change the opinion of the Federal Diet with respect to the act in question.

Moreover, they declare themselves ready not only to take into serious consideration any proposition which may concern the Duchies of Holstein and Lauenburg, but even to execute in the said Duchies those decrees of the Diet which are not incompatible with the inalienable sovereignty of His Majesty the King over his federal territories, and which could not interfere with the free working of the legislative power in those parts of the Monarchy which do not belong to the Confederation.

With regard to the possibility of a speedy federal execution which is mentioned as a last resort in the Federal Decree, the King's Government can only refer to their Declaration of the 9th of last month. Whatever opinion the high assembly may have of the limits imposed on its competence by the federal acts, there can be no doubt on this point, viz.: that from the moment that the Government of the King have recognised the political autonomy of the Federal Duchies, and from the moment that they have declared themselves ready, if necessary, to enter into negotiations respecting the realization of this autonomy, such an eventuality can only be regarded in its international bearing.

No. 115.

Sir A. Malet to Earl Russell.—(*Received August* 31.)

My Lord, *Frankfort, August* 29, 1863.

WITH reference to my despatch of the 1st instant, I beg to inclose a translation of the text of the Danish reply to the Diet's summons of the 9th of July last.

I have already had the honour of acquainting your Lordship that this refusal of the Danish Government to withdraw the Decree of the 30th March last, has been referred to the joint Committees. Their report will, as I am informed, be made in fourteen days; and, as I have reason to believe, will recommend that Commissioners shall be sent on the part of the Diet, into Holstein and Lauenburg.

I have, &c.
(Signed) A. MALET.

Inclosure in No. 115.

Danish Answer to the Federal Summons.

[See Inclosure in No. 114.]

No. 116.

Mr. Lowther to Earl Russell.—(*Received August* 31.)

(Extract.) *Berlin, August* 29, 1863.

IN conformity with the instructions contained in your Lordship's despatch to me of the 26th instant, I read yesterday to M. Philipsborn your Lordship's despatch to Lord Bloomfield, of the 31st ultimo.

M. Philipsborn paid great attention to the reading of your Lordship's despatch, made notes of some of the passages, and said he would take an early opportunity of bringing the matter to the consideration of M. de Bismarck.

M. Philipsborn said there was no reason why, of necessity, Denmark should consider the advance of German troops into Holstein as a hostile invasion, and he seemed to doubt whether Denmark would be supported by Sweden. M. Philipsborn expressed his fears lest it should be too late to prevent the Diet taking a definitive resolution, for the answer of the King of Denmark to the last communication of the Diet had been received at Frankfort, and had been referred to a Committee of the Diet, who would probably fix upon a last term at which the decision of the Diet must be carried into effect; should, at the expiration of that period, His Majesty the King of Denmark still refuse to withdraw his Patent of the 30th of March, there would be nothing left for it but a Federal Execution.

No. 117.

Earl Russell to Mr. Lowther.

Sir, *Foreign Office, August* 31, 1863.

THE Prussian Chargé d'Affaires has been instructed by his Government to inquire whether Her Majesty's Government intend to take any further step in the Schleswig-Holstein question, in order to persuade Denmark to come to an understanding with the Diet.

M. de Katte states that the question is becoming very grave, and that the Committee of Execution will, at the expiration of six weeks, at once make its report, and that Execution will follow.

I have caused M. de Katte to be informed that Her Majesty's Government have no intention of making any communication to the Danish Government, after the reception which was given to my suggestion of last year; but that if Austria and Prussia persist in advising the Confederation to make a Federal Execution now, they will do so against the advice already given by Her Majesty's Government, and must be responsible for the consequences, whatever they may be.

A military occupation of Holstein by Federal troops, for the purpose of inducing the Duke of Holstein to alter any internal organization of the Duchy, which the Diet could clearly and to the satisfaction of other Powers prove to be an infraction of any established Laws or Regulations of the Confederation, would be a question of prudence only, and upon such a matter the Diet would only have to decide whether so violent a proceeding, and one which must necessarily be attended with so much inconvenience to the people of the Duchy, was really called for by the differences which might thus be proved to exist between the arrangement of the King as Duke of Holstein and the Laws of the Confederation. But the Diet should bear in mind that there is a material difference between the political bearing of a military occupation of a territory which is purely and solely a portion of the Confederation, and the invasion of a territory which although part of the German Confederation is also a portion of the territory of an independent Sovereign, whose dominions are counted as an element in the balance of power in Europe.

But if the Diet take steps for a still further object, and invade Holstein for the purpose of compelling the King of Denmark to acknowledge certain rights, which the German Confederation claim as belonging to Schleswig, by virtue of the arrangements of 1851-52, the Diet will be entering upon a grave European question, as to which they have no exclusive competency of decision, and on which it belongs quite as much to every other European Government to form an opinion and to pronounce a judgment.

I am, &c.

(Signed) RUSSELL.

No. 118.

Sir A. Paget to Earl Russell.—(Received September 7.)

(Extract.) *Copenhagen, September 3, 1863.*

COUNT MANDERSTRÖM, who had been on a visit in Scania, came over from Malmö to Copenhagen on his way to Gothenburg and Stockholm, on Saturday last, the 29th of August, and had an interview with M. Hall at the house of the Swedish Minister, Count Hamilton.

I am enabled to state to your Lordship, on the authority of both M. Hall and Count Hamilton, that up to the present time no written engagement with reference to any support to be given by Sweden to Denmark, in the event of hostilities between the latter country and the German Confederation, has been entered into by the Swedish Government; but upon M. Hall pressing Count Manderström on this point, his Excellency distinctly told M. Hall that, although the Swedish Government might agree with that of Denmark in the view they took of the possible entry of Federal troops into Holstein, they could not commit themselves to a commencement of hostilities with the Confederation on Federal territory, and he strongly advised the Danish Government to avoid doing so. The reasons given by Count Manderström for this advice were that, however justified Denmark would be in reality, in the opinion of the Swedish Government, in resisting the invasion in Holstein, it was a point which would have to be made clear to other Governments, who saw in Holstein simply a Federal territory, over which, by the laws of the Confederation, the Diet had a right to assert its authority, and carry out its decrees by the employment of force when other means failed. Thus the Danish Government would be placing themselves in a false position before Europe, they would give to Germany the vantage ground of being able to assert that Denmark was the aggressor, and this, in the present temper of Europe, when all the Great Powers were desirous of maintaining peace, would be of no small disadvantage to her cause. Count Manderström further expressed the opinion that the Great Powers would certainly not allow Germany to remain in permanent occupation of Holstein, and thus, as it were, to starve Denmark into terms; that before this they would take the matter seriously in hand, and require from Germany a distinct and clear definition of the aim and object of the occupation.

I am not without hope that this wise and moderate advice of Count Manderström, repeating, as it does, that which was given by his Swedish Majesty, is likely to prevail with the Danish Cabinet. Your Lordship will have observed that their reply to the Diet is extremely guarded upon this point. The principle of their right to consider the occupation as an international question is distinctly asserted, but there is not any allusion to the measures which they may possibly have recourse to in defence of that right.

I have only to add that I have lost no opportunity of advising the Danish Government not to offer any resistance to the Federal troops in Holstein, and that the same advice has also been given by my French colleague.

No. 119.

Mr. Lowther to Earl Russell.—(Received September 7.)

(Extract.) *Berlin, September 4, 1863.*

HIS Excellency M. de Bismarck being too occupied to see me, I inquired of M. Philipsborn whether he had communicated to his Excellency the substance of your Lordship's despatch addressed to Lord Bloomfield, of the 31st of July, and which

I was informed by your Lordship's despatch to me of the 26th of August, I might read to the Prussian Under-Secretary of State for Foreign Affairs.

M. Philipsborn replied, that during the period when Count Rechberg was at Frankfort, M. de Bismarck had been in constant communication with him on the subject of the Federal Execution in Holstein, and that their ideas had perfectly coincided, that it was not advisable that anything more should be done in the matter by the Austrian and Prussian Governments, and that the execution would follow.

In speaking to M. Philipsborn in the sense of your Lordship's despatch to me of the 31st instant, he denied, as he has so often done, that there was any reason why a Federal Execution in Holstein should mean an invasion in Schleswig, and he added that Austria and Prussia were now powerless in the matter, which was entirely in the hands of the Confederation.

No. 120.

Earl Cowley to Earl Russell.—(Received September 7.)

My Lord, *Paris, September 6, 1863.*

ALTHOUGH not specially instructed to show M. Drouyn de Lhuys your Lordship's despatch of the 31st ultimo to Mr. Lowther, stating that in reply to a question of the Prussian Chargé d'Affaires, your Lordship had desired that gentleman to be informed that Her Majesty's Government had no intention of making any further communication to the Danish Government, in order to pursuade that Government to come to an understanding with the Diet, and giving the views of Her Majesty's Government upon the general position of the Holstein question, I thought it advisible to read it to his Excellency.

M. Drouyn de Lhuys said that he coincided in all your Lordship's opinions as expressed in that despatch. He had more than once sent instructions in a similar sense both to Vienna and to Berlin, and he would repeat them if, on reference, he found that the dates of the last were not very recent.

I have, &c.

(Signed) COWLEY.

No. 121.

M. Hall to M. de Bille.—(Communicated to Earl Russell by M. de Bille, September 8.)

Monsieur, *Copenhague, le 3 Septembre,* 1863.

LA déclaration ci-jointe,* que le Ministre du Roi vient de faire au sein de la Diète de Francfort, en réponse à la notification de l'Arrêté Fédéral du 9 Juillet dernier, était depuis longtemps si généralement prévue par tous les Gouvernements qui ont suivi l'affaire Dano-Allemande, qu'elle n'en a pu surprendre aucun, et la teneur de cet acte est si bien suggérée par la situation même des choses, que je n'ai rien à ajouter pour la motiver.

Une crise paraît imminente, mais le Gouvernement du Roi ne la craint pas. Car d'un côté nous avons la conscience d'avoir fait tout ce qui dépendait de nous pour l'écarter ; de l'autre il est évident que des longues négociations et des nombreuses phases qu'a traversées la question, nous avons tiré au moins cet avantage que le véritable fond s'est enfin peu à peu dégagé des nuages qui empêchaient l'Europe de voir de quelle genre d'aspirations il s'agissait réellement de la part de l'Allemagne.

Deux points essentiels nous sont ainsi acquis et ils ne pourront pas manquer d'exercer une influence décisive sur l'attitude des Puissances impartiales.

L'autonomie que l'Allemagne avait exigée pour le Holstein avec une véhémence qui était en proportion inverse de la légalité d'une telle demande, cette autonomie a été concédée par le Gouvernement du Roi. D'après notre manière d'interpréter la Patente du 30 Mars dernier, et—on le verra bientôt—d'après notre manière de la mettre en œuvre, le Holstein va donc jouir dès à présent de toute la liberté d'action que la Confédération peut désirer. Mais le Gouvernement est allé plus loin encore dans la voie de la conciliation. Il s'est déclaré prêt à entrer dans des négociations avec la Diète, si après un examen un peu plus approfondi de la Patente que celui qu'elle avait entrepris jusqu'ici, cette Assemblée

* Inclosure in No. 114.

devait encore arriver à ce résultat, qu'il reste des points où la Patente n'a pas suffisamment sauvegardée les intérêts Holsteinois.

Dans ces circonstances on conçoit facilement que toute occupation du Holstein à laquelle la Confédération pourrait vouloir procéder, manquerait du prétexte même d'un acte fédéral. Son objet serait non pas de conquérir pour le Holstein une situation autonome et indépendante, mais de forcer le Roi à satisfaire à des demandes d'une toute autre nature relativement à des parties de la Monarchie qui, quelque jugement que l'on porte d'ailleurs sur la compétence de la Diète à l'égard d'un territoire Fédéral, restent absolument en dehors de son action légale. Si les armées de l'Allemagne franchissent l'Eider, tout le monde reconnaîtra la nature internationale d'une telle démarche. Mais peut-on douter un instant qu'elle ne commette un abus de la force absolument pareil lorsqu'elle se met en possession du Holstein avec le but notoire de séquestrer les revenus de ce pays et de forcer ainsi les autres parties de la monarchie de porter seules toute la charge de la dette publique et des autres dépenses dont une quotepart appartient de droit au Holstein? Ces nouvelles charges, auxquelles viendraient se joindre les dépenses considérables nécessitées par la crainte de voir d'un jour à l'autre les troupes Allemandes envahir le Slesvig et le Jutland, écraseraient bientôt le Danemark et nous forceraient enfin à nous soumettre. Tous les sophismes du monde ne réussiraient pas à dissimuler le véritable caractère d'une soi-disant Exécution, qui se ferait dans ces circonstances et avec un tel but, et le plus simple bon sens suffit pour comprendre que nous ne pouvons jamais accepter tranquillement la position qu'on veut nous faire et qui serait pire que la guerre.

Notre parti est donc pris depuis longtemps déjà, et j'ai tout lieu d'espérer que nous ne serons point abandonnés à nos seules ressources dans une lutte où sont engagées non-seulement les destinées du Danemark, mais aussi les intérêts les plus sacrés du Nord entier.

Vous remarquerez, Monsieur, que notre déclaration contient une ouverture à laquelle nous n'attachons pas un bien grand espoir, mais que nous avons pourtant cru devoir faire dans l'intérêt de la paix. Nous nous sommes déclarés prêts à entrer dans des négociations avec la Diète qui seraient basées sur le principe d'indépendance et d'automonie pour le Holstein, posé dans la Patente du 30 Mars dernier. On a si souvent repété que la Diète ne désirait rien plus vivement que de pouvoir se retirer de la position trop avancée où elle s'était engagée un peu malgré elle. S'il en est ainsi, et si réellement elle veut éviter les complications que la voie qu'elle a suivie jusqu'ici amènera inévitablement, nous lui fournissons encore une fois l'occasion de résoudre la question d'une manière paisible. Il y a plus. Notre proposition correspond en tout point à la phase dans laquelle la question générale Allemande est entrée par suite du dernier Congrès des Princes à Francfort. Car il est évident que le Roi ne pourra adhérer pour le Holstein au nouvel ordre des choses qu'on veut inaugurer à l'Allemagne, qu'après que ce Duché aura été définitivement placé dans la Monarchie dans les conditions que le Gouvernement du Roi veut lui garantir. Alors, mais seulement alors, le Roi pourra s'associer aux efforts de ses confédérés, et les dispositions de Sa Majesté à la faire ont trouvé une nouvelle expression dans la lettre par laquelle elle a répondu à l'invitation de l'Empereur d'Autriche, lettre que vous connaissez déjà. Ainsi, sous tous les rapports, cette ouverture de notre part devrait être assuré à un bon accueil au sein de la Diète. Nous ne tarderons pas à connaître le parti auquel l'Allemagne s'arrêtera.

Je vous prie, Monsieur, de communiquer officiellement à M. le Ministre des Affaires Etrangères notre déclaration, et de vous énoncer vis-à-vis de lui et de vos collègues dans le sens de cette dépêche.

J'ai, &c.
(Signé) C. HALL.

(Translation.)

Sir,

THE inclosed declaration, which the Minister of the King has made in the Diet of Frankfort, in reply to the notification of the Federal Decree of the 9th of July last, has been so long and so generally foreseen by all the Governments which have followed the Dano-German question, that it can have surprised no one, and the tenor of the Act is so obviously suggested by the situation of affairs, that it is unnecessary for me to make any further commentary on it.

A crisis appears imminent, but the King's Government do not fear it. On the one hand, we are conscious of having done everything in our power to avoid it; on the other, it is evident that we have at least derived this advantage from the lengthy negotiations and the numerous phases through which the question has passed, namely, that the true

state of the question has been gradually freed from the mist, which prevented Europe from perceiving the nature of the aspirations, in which in reality Germany indulges.

We have thus gained two essential points, and they cannot fail to exercise a decisive influence on the attitude of impartial Powers.

The autonomy which Germany demanded for Holstein with a vehemence exactly in an inverse proportion to the legality of the demand, this autonomy has been conceded by the Government of the King. According to our way of interpreting the Patent of the 30th of March last, and—as will soon be seen—according to our way of executing it, Holstein will immediately enjoy all the liberty of action which the Confederation can desire. But the Government have even gone farther on the part of conciliation. They have declared themselves ready to enter into negotiations with the Diet, if, after a closer examination of the Patent than that which the Diet has already made, that Assembly should again come to the conclusion that there are still points where the Patent has not sufficiently secured the interests of Holstein.

Under these circumstances it is readily to be believed that any occupation of Holstein, to which the Confederation might wish to have recourse, would be devoid even of the pretext of a Federal Act.

Its object would be not to conquer for Holstein an autonomic and independent position, but to force the King to comply with demands of an entirely different nature with respect to parts of the monarchy, which, whatever opinion one may have of the competence of the Diet with regard to Federal territory, are entirely beyond the sphere of its legal action. If the armies of Germany cross the Eider, every one will acknowledge the international nature of such a step. But can it be doubted for a moment that Germany is committing the same abuse of power when she takes possession of Holstein with the avowed object of sequestrating the revenues of that country, and of thus forcing the other parts of the monarchy to bear alone all the burden of the public debt and other expenses, of which a portion belongs of a right to Holstein? These new burdens, to which would be added the considerable expenses rendered necessary through the fear from one day to another of seeing the German troops invade Schleswig and Jutland, would soon crush Denmark, and at last compel us to submit. All the sophisms in the world would not avail to disguise the true character of a so-called Execution, were it to take place under these circumstances and with such an object; and the plainest common sense will suffice to make everybody comprehend that we can never quietly accept the position which it is attempted to force upon us, and which would be worse than war.

Our line of conduct has therefore long been decided upon, and I have every reason to hope that we shall not be left to our own resources in a struggle in which not only the fate of Denmark, but also the most sacred interests of the entire North are involved.

You will observe, Sir, that our declaration contains an overture to which, in truth, we do not attach much hope, but which we have yet thought it our duty to make in the interests of peace. We have declared ourselves ready to enter into negotiations with the Diet upon the basis of the principle of the autonomy and independence of Holstein laid down in the Patent of the 30th of March last. It has been so often repeated, that the Diet desired nothing more earnestly than to be able to retire from the too advanced position which it had rather unwillingly taken up. If this is the case, and if the Diet really wishes to avoid the complications which the path hitherto followed by it must inevitably bring about, we again offer a means of arriving at a peaceable solution of the question. Even more; our proposition corresponds in every point with the phase, into which the general German question has entered, in consequence of the late Congress of Princes at Frankfort. For it is evident that the King can never agree with respect to Holstein, to the new state of things, which it is sought to inaugurate in Germany, until after the Duchy shall have been definitively settled in the Monarchy, under the conditions which the Government of the King wish to guarantee to it. Then, but then only, will the King be able to participate in the efforts of his Confederates, and the inclination of His Majesty so to do has found a renewed means of expression in the letter in which he has replied to the invitation of the Emperor of Austria, with which you are already acquainted. Thus, in every respect, this overture of ours ought to be sure of a favourable reception by the Diet. We shall soon know the course which Germany will decide upon.

I beg you, Sir, to communicate our Declaration officially to the Minister for Foreign Affairs, and to express yourself both to him and to your colleagues in the sense of this despatch.

I have, &c.
(Signed) C. HALL.

No. 122.

Lord Bloomfield to Earl Russell.—(Received September 12).

My Lord, *Vienna, September 10, 1863.*

COUNT RECHBERG has resumed his duties at the Foreign Department. At my first interview with his Excellency I read to him the copy of your Lordship's despatch to Mr. Lowther, of the 31st ultimo, recording the responsibility that Her Majesty's Government consider will rest on the Austrian and Prussian Governments if a Federal Execution takes place in the Duchies.

He spoke with much fervency on the subject, and always in the same sense as to the impossibility of interfering with the Resolutions of the Diet. He said he had, when lately at Frankfort, done all he could to soften the wording of some of the passages in the Draft Resolution, and that he had succeeded in obtaining a few modifications in them, but that to call upon Austria and Prussia to alter the laws of the Diet was an impossibility. There was a complete understanding on the subject between them; Denmark had entered into engagements which she had not kept, and amongst others she had promised not to *octroyer* laws for the Duchies. He asked how she had kept this promise, and observed that the last answer of Denmark was moreover offensive to Germany.

I replied that the question was growing serious, and that if a Federal Execution took place, it was impossible to say what might not be the consequences of it to the peace of Europe.

I have, &c.,
(Signed) BLOOMFIELD.

No. 126.

M. de Bismarck to M. de Katte.—(Communicated to Earl Russell by M. de Katte, September 14.)

(Translation.) *Berlin, September 11, 1863.*

ON the 3rd instant, I informed you of the communication which both the British and French Representatives had made to me with reference to the difference of the German Confederation with Denmark. Both have since returned to the subject, but only verbally, and with the remark that they were neither instructed to present a note nor to communicate a despatch.

The French Chargé d'Affaires referred to Lord Russell's last declaration, which had been communicated at Paris. They participate at Paris in the views of the British Minister; and are anxiously desirous that matters should not be brought to a crisis, because apprehension of great complication must be entertained, and they therefore beg that Lord Russell's suggestions may be taken into careful consideration.

I am not in a position to express myself fully here on the subject of the Declaration of Lord Russell here referred to, since the despatch of the 31st of July must no doubt be referred to, which was addressed to Vienna, and read to me here almost a month afterwards.

I must, therefore, leave the Austrian Cabinet to explain itself on the subject.

I have, however, to instruct you to make the following remarks to the Principal Secretary of State for Foreign Affairs.

If in Lord Russell's despatch, allusion is made to a separation of the Schleswig from the Holstein Question and the European character of the former is brought forward, any one who has followed the progress of the affairs since 1858, with any attention, will easily convince himself that both the German Confederation and the two Great Powers have not only never lost sight of the separate character of these two questions, but have also endeavoured to keep them apart as far as the nature of things allowed, and even more than a strong public opinion in Germany would assent to.

How the Holstein question and the relations of the Diet with its member, the Duke of Holstein and Lauenburg, could at any time assume an international character, cannot be perceived. This assertion which is made at the conclusion of the last declaration made to the Diet by the Representative of Denmark, Holstein and Lauenburg can only be most positively refuted by the Diet. If the Danish Government attempts to make this deduction, from the fact that the resolutions of the Diet refer to negotiations of the years 1851–52, it forgets that these negotiations were only of an international character, in so far as they related to Schleswig, but in so far as they referred to Holstein were not negotiations with the King of Denmark but with the Duke of Holstein and Lauenburg, and

settled the conditions on which the proper administration of a Federal Territory occupied on grounds of Federal law should be restored to a member of the Confederation.

The Holstein question, and the measures of the Diet relating to it, being a purely international question, can in no case become a ground for European negotiation.

The Schleswig question, even if it is of an international character, can at the present moment, when the German Confederation has merely reserved its rights, furnish just as little cause for such a negotiation. That we, as well as the Diet, are not averse to the peaceful understanding on the subject, we have already shewn, since we, in September last, adopted Lord Russell's plan of settlement, whilst Denmark rejected it. At this moment the Schleswig question is solely to be settled between the Diet and the King of Denmark.

If the refusal now expressed by the Duke of Holstein to comply with the resolution of the Diet of the 9th of July, by recalling the Patent of March 30, leads, according to the Federal laws, to an execution, this latter is founded entirely on internal conditions of Federal law, and it is not to be perceived how it can lead to further complications unless Denmark in an illegal manner gives it a character which it cannot have according to the nature of things. But then Denmark bears the blame of the complications. If a war arises therefrom, it will be an offensive war by Denmark against the German Confederation

It is, therefore, in the power of Denmark to avoid further complications, and not to destroy the peace of Europe.

You will again call Lord Russell's attention to the fact that this matter is not pending between Prussia and Denmark, but between the German Confederation and the Duke of Holstein, respectively the German Confederation and the King of Denmark, as Duke of Schleswig, and that for that reason we cannot consider any single German Government, but only the whole body of the German Confederation as entitled to official negotiation.

The management of this affair is one of purely Federal measures. Prussia has neither exercised an accelerating influence over it nor can she exert a retarding influence. She must allow full play to the Federal proceedings, and will, under any circumstances, perform her Federal duties.

I request you to express yourself verbally in this sense. There is, moreover, no objection to your communicating this dispatch.

(Signed) BISMARCK.

No. 124.

Sir A. Malet to Earl Russell.—(Received September 14.)

My Lord, *Frankfort, September* 12, 1863.

THE Diet held no sitting on Thursday, the Report on the Danish Duchies question not being ready, and no other business of any moment pending.

There seems to be some hesitation in coming to a decision in this matter, upon which the crisis in the internal affairs of Germany is exercising an influence.

It is not long since when Execution in Holstein was spoken of as to be effected with a whole army corps or four divisions, and with a reserve of 50,000 men; now the papers talk of 4,000 Hanoverians and Saxon troops being employed on the service: but your Lordship may be assured that nothing is yet decided, nor is it likely that what is intended to be done should transpire before M. von der Pfordten has presented his Report.

The Danish Minister, Baron Dirchinck-Holmfeldt, is still unwell, and his Excellency has not yet presented to the Diet a supplementary document connected with the Danish reply, presented by the Netherland Minister on the 27th ultimo, which the Danish Government wishes to lay before the Diet.

I have, &c.

(Signed) A. MALET.

No. 125.

Earl Russell to Mr. Grey.

Sir, *Foreign Office, September* 16, 1863.

THE question of Schleswig-Holstein, which for more than ten years has been the subject of prolonged and bitter controversy, appears again to threaten actual hostilities.

The Diet of Germany intimate an approaching Federal Execution in Holstein, unless the Danish Royal Ordinance of the 30th of March is revoked, and the Declaration of Denmark to the Diet communicated to Her Majesty's Government on the 3rd instant, of which a copy is inclosed,* informs the Diet that such an Execution, should it take place, can only be regarded as a question of international right.

This language forebodes armed resistance.

Unfortunately the obscurity which has hitherto attended this question still hangs over it.

The German Diet consider that the Royal Ordinance of the 30th of March does not fulfil the conditions of the Federal Resolutions of the 8th of March, 1860, and of the 7th of February, 1861, "qu'aucune loi relative aux affaires communes, et notamment en affaires financières, ne soit promulguée pour les Duchés, si elle n'a obtenu l'assentiment des Etats."

Here is an important question upon which it would be desirable to have precise statements and precise answers.

But unfortunately the Report of the German Diet, instead of confining itself to this subject, extends its remarks to the Constitution of the Kingdom of Denmark and the situation of Schleswig, with regard to neither of which matters has the German Diet any other rights than those founded upon International Treaties, diplomatic notes, and positive declarations on the part of Denmark.

The Danish Government on its side, instead of discussing the Ordinance of the 30th of March, as it regards Holstein only, promises to explain, and offers to negotiate.

Unfortunately the negotiation which in 1861-62 was begun at the instance of Her Majesty's Government between Denmark and Germany led only to fruitless controversy, and there is no reason to hope better results from any new endeavour to negotiate.

The other questions in dispute—the Constitution of Denmark and the privileges of Schleswig—are left in still greater obscurity than the affairs of Holstein.

As the matter is now put on the question of right, there are some propositions which appear to Her Majesty's Government incontrovertible.

They are:

1. That Denmark owes to Germany a complete written explanation with respect to the bearing of the Ordinance of the 30th of March on the laws, and especially on the financial position of the Duchies of Holstein and Lauenburg.

2. That Germany cannot justly order a Federal Execution with a view to promote or to prevent the establishment of a Constitution common to Denmark, Schleswig, Holstein and Lauenburg.

3. That the affairs of Schleswig can only be treated between Germany and Denmark as a matter of international concern.

4. That as a matter of international concern it is to be desired that Germany would lay down with precision what are the rights she claims for the German inhabitants of Schleswig, and in what manner any engagements made on their behalf have been, in the opinion of the German Diet, violated by Denmark.

As the matter stands at present, the threatened Federal Execution will probably only produce a needless effusion of blood. It might produce further some danger to the balance of power, especially if the integrity and independence of Denmark were in any way impaired by the demands of Germany and the measures consequent thereupon.

If the Government of the Emperor of the French are of opinion that any benefit would be likely to follow from an offer of good offices on the part of Great Britain and France, Her Majesty's Government would be ready to take that course.

If, however, the Government of France would consider such a step as likely to be unavailing, the two Powers might remind Austria, Prussia, and the German Diet that any act on their part, tending to weaken the integrity and independence of Denmark, would be at variance with the Treaty of the 8th of May, 1852.

I am, &c.

(Signed) RUSSELL.

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* Inclosure in No. 114.

No. 126.

Mr. Grey to Earl Russell.—(Received September 19.)

My Lord, *Paris, September 18, 1863.*

M. DROUYN DE LHUYS having put off his usual Thursday reception of the Corps Diplomatique yesterday, I was not able to see him till to-day, to ascertain his Excellency's opinion on the question raised in your Lordship's despatch of the 16th instant, in regard to the threatened Federal Execution in Holstein. I thought it best to allow M. Drouyn de Lhuys to read your Lordship's despatch, which he did with attention. He expressed his concurrence in the propositions which your Lordship states appear to Her Majesty's Government to be incontrovertible, and he then went on to say that he had already written to Berlin and Vienna in almost the exact terms of your Lordship's despatch of the 31st ultimo to Mr. Lowther, with which he had been made acquainted by Earl Cowley, as reported by his Excellency in his despatch of the 6th instant. The communication which I made to him to-day, involved, he said, a more formal step, and one in which he, for his part, could see no prospect of advantage. The offer of good offices would he thought be useless (inutile.) The second mode of proceeding suggested by your Lordship, viz., "To remind Austria, Prussia, and the German Diet, that any acts on their part tending to weaken the integrity and independence of Denmark, would be at variance with the treaty of the 8th May, 1852," would be in a great measure analogous to the course pursued by Great Britain and France in the Polish question. He had no inclination (and he frankly avowed that he should so speak to the Emperor) to place France in the same position with reference to Germany as she had been placed with regard to Russia. The formal notes addressed by the three Powers to Russia had received an answer which literally meant nothing, and the position in which those three Great Powers were now placed was anything but dignified, and if England and France were to address such a reminder as that proposed to Austria, Prussia, and the German Confederation, they must be prepared to go further, and to adopt a course of action more in accordance with the dignity of two Great Powers than they were now doing in the Polish question. France was not, his Excellency said, by any means indifferent to the maintenance of the integrity and independence of Denmark, and it was not from any indifference that he disapproved of your Lordship's suggestion. He had already represented to the German Powers, that if they invaded Holstein for the purpose of effecting a revolt in Schleswig, or if they went further and invaded Schleswig itself, they would be infringing on the rights of an independent Sovereign, and entering upon a grave question affecting the balance of power in Europe, to which France could not remain indifferent.

His Excellency conceived, therefore, that all that your Lordship now suggests had been done, unless it was desired to take a more formal step, such as the presentation of an identic note, or the simultaneous presentation of notes of similar purport. To this mode of proceeding he had the strongest objection, for the reasons stated above. He desired to preserve entire liberty of action for France in this matter, and unless Her Majesty's Government was prepared to go further, if necessary, than the mere presentation of a note, and the receipt of an evasive reply; he was sure the Emperor would not consent to adopt your Lordship's suggestion.

I have, &c.
(Signed) W. GREY.

No. 127.

Sir A. Malet to Earl Russell.—(Received September 21.)

My Lord, *Frankfort, September 18, 1863.*

THE health of the Danish Envoy, Baron Dirchinck-Holmfeldt, has obliged his Excellency to take a leave of absence, and the Netherlands Envoy will act as Representative for Holstein and Lauenburg in his Excellency's absence.

The Memorandum to which I made reference in my despatch of the 12th instant has been left by Baron Dirchinck in M. de Scherff's hands.

It is intimated to the Committees of the Diet that this Memorandum which concerns the finance of the Danish Duchies, is at their disposal if they wish for it; but hitherto I cannot learn that any such wish has been expressed; and as the Danish Government seems to attach some value to the document, it is unfortunate that it was not laid before the Diet together with their reply to the Diet's summons of the 9th of July.

As it is, it would appear that a question of form has prevented its being communicated unless asked for by the Diet.

The Diet did not meet as usual yesterday, but will hold an extraordinary sitting either to-morrow or early next week, to receive M. von de Pfordten's Report on the question of the Duchies, of the nature of which I hope to be able to give your Lordship early information.

I have, &c.
(Signed) A. MALET.

No. 128.

Sir A. Buchanan to Earl Russell.—(Received September 21.)

(Extract.) *Berlin, September 19, 1863.*

AT an interview yesterday with M. de Bismarck, his Excellency stated in answer to an inquiry on my part, that he saw no prospect of a Federal Execution in Holstein being prevented.

He stated that he had done everything in his power to promote moderation at Vienna and Frankfort.

No. 129.

Prince Gortchakoff to Baron Brunnow.—(Communicated to Earl Russell by Baron Brunnow, September 23.)

M. le Baron, *St. Pétersbourg, le* $\frac{31 \text{ Aout,}}{12 \text{ Septembre}}$ 1863.

LES Cabinets de Paris et de Londres auront eu connaissance de la déclaration que le Gouvernement Danois vient de faire remettre à la Diète Germanique, en réponse au vote de cette Assemblée du 9 Juillet dernier. Il paraît que tout en exprimant l'intention de s'entendre avec l'Assemblée Fédérale sur ce que la Patente Royale du 30 Mars a pu laisser à désirer, le Cabinet de Copenhague ne cache pas l'appréhension de voir les mesures d'Exécution annoncées pour le Duché de Holstein dépasser les strictes limites de la compétence légale qui appartient à la Confédération Germanique. Nous ne partageons pas cette manière de voir. Il est vrai que les arrangements de 1851-52 ont créé par rapport au Slesvig un germe de dissentiment que les négociations subséquentes n'ont pas fait disparaître, et qui a surexcité depuis l'esprit public en Allemagne. Il est vrai aussi que l'envoi de troupes Fédérales dans le Holstein peut fournir à la Confédération les moyens d'une pression extra-Fédérale sur l'affaire du Duché voisin. Toutefois, l'Allemagne n'ignore point que l'affaire de Slesvig est d'un caractère international, et que les Puissances non-Allemandes, la Russie, la France, et l'Angleterre, ont un égal intérêt au maintien de l'indépendance et de l'intégrité de la Monarchie Danoise.

J'adresse à notre Ministre à Copenhague la dépêche ci-jointe en copie, que votre Excellence est autorisée à communiquer à M. le Principal Secretaire d'Etat de Sa Majesté Britannique.

Si le Cabinet de Londres jugeait à propos de rassurer de son côté le Gouvernement Danois sur l'éventualité d'un cas de guerre, son Réprésentant à Copenhague rencontrerait la plus franche co-opération de la part du Baron de Nicolay.

Recevez, &c.
(Signé) GORTCHACOFF.

(Translation.)

M. le Baron, *St. Petersburg,* $\frac{31\ August,}{12\ September,}$ 1863.

THE Cabinets of Paris and London will have under their notice the declaration which the Danish Government has just handed in to the German Diet, in reply to the vote of that assembly, of the 9th July last. It appears that, while expressing its intention to come to an understanding with the Federal Assembly on the points on which the Royal Patent of the 30th March seems deficient, the Cabinet of Copenhagen does not conceal its uneasiness at seeing measures of execution announced for the Duchy of Holstein, which exceed the strict limits of the legal right which appertain to the Germanic Confederation. We do not share in this view. It is true that the arrangements of 1851-2 have created, with regard to Schleswig, a germ of disagreement which subsequent negotiations have not dissipated, and which has since over-excited the public feeling in Germany.

It is true also that the dispatch of Federal troops into Holstein may furnish the Confederation with means of applying extra Federal pressure on the affair of the neighbouring Duchy. At all events, Germany is not ignorant that the Schleswig question partakes of an international character, and that the non-German Powers, Russia, France, and England, have an equal interest in the maintenance of the independence and integrity of the Danish Monarchy.

I am addressing to our Minister at Copenhagen the despatch of which the accompanying is a copy, and which your Excellency is authorized to communicate to Her Britannic Majesty's Principal Secretary of State.

If the Cabinet of London thought fit, on its part, to reassure the Danish Government on the result in the event of war, its Representative at Copenhagen would meet with the most sincere co-operation on the part of the Baron de Nicolay.

Receive, &c.

(Signed) GORTCHAKOFF.

Inclosure in No. 129.

Prince Gortchakoff to Baron de Nicolay.

St. Petersbourg, le 31 *Août,* 1863.

LE Ministre de Danemark près notre Cour a officiellement porté à la connaissance du Ministère Impérial la déclaration que le Gouvernement Danois a fait remettre à la Diète Germanique en réponse à l'arrêté Fédéral du 9 Juillet dernier. A cette occasion M. le Baron de Plessen a bien voulu, par ordre de sa Cour, entrer envers moi dans quelques explications confidentielles qui attestent les dispositions fermes, mais non moins conciliantes, dont le Cabinet de Copenhague est animé en face des éventualités que les mesures d'Exécution Fédérale peuvent rendre imminentes. Je n'ai pas manqué, M. le Baron, de rendre compte de ces ouvertures à Sa Majesté l'Empereur.

Notre auguste Maître a relevé avec satisfaction que le Gouvernement du Roi n'envisage pas encore comme définitivement close la voie vers un arrangement pacifique; qu'il se déclare prêt, au contraire, à entrer en négociation avec la Diète Germanique sur les questions qui, au point de vue du droit Fédéral, la Patente du 30 Mars peut avoir laissées en suspens, notamment en ce qui concerne le principe d'indépendance et d'autonomie pour le Duché de Holstein. Il est permis de croire que la Diète ne se refusera pas à cette négociation. Nul ne saurait en effet lui contester le droit de donner suite aux résolutions qu'elle a fait entrevoir par son vote du 9 Juillet. Mais elle réfléchira, nous l'espérons, aux sérieuses conséquences que pourrait entraîner pour le repos de l'Allemagne elle-même une intervention qui dépasserait les strictes limites de sa compétence, quels que soient les droits qui résultent pour elle des arrangements de 1851-2, relatifs au Duché de Slesvig, la Diète ne saurait avoir l'intention de faire prendre à une question purement Fédérale les proportions d'une affaire internationale.

C'est par suite de ces considérations, et dans l'esprit d'un intérêt sincèrement amical, que nous souhaitons que le Cabinet de Copenhague veuille persévérer dans les dispositions qu'il vient de manifester et ne pas se préoccuper avant le temps de l'éventualité d'un cas de guerre que ne justifierait pas une appréciation calme du véritable état de choses.

Je vous engage, M. le Baron, à vous exprimer dans ce sens envers M. le Président du Conseil, en lui donnant lecture de la présente dépêche. Nous aurions à croire que les Cabinets de Paris et de Londres envisagent comme nous la situation actuelle du différend Dano-Allemand, et si leurs Représentants à Copenhague recevaient l'ordre de tenir un langage analogue à celui qui vous est prescrit, il va sans dire que vous vous joindriez à eux dans un même esprit d'apaisement et de conciliation.

Recevez, &c.

(Translation).

St. Petersburg, August 31, 1863.

THE Danish Minister at our Court has brought officially to the knowledge of the Imperial Ministry the declaration which the Danish Government has caused to be delivered to the German Diet, in reply to the Federal Resolution of the 9th of July last; on this occasion, M. le Baron de Plessen was pleased, by command of his Court, to enter into certain confidential explanations with me, which attest the firm but none the less conciliatory disposition which animates the Cabinet of Copenhagen in regard to the eventualities which the measures of Federal execution may render imminent.

Our August Majesty has noticed with satisfaction that the Government of the King does not as yet regard the way towards a pacific arrangement as definitively closed, that on the contrary, it declares itself ready to enter into negotiations with the German Diet, on the questions which, from the point of view of federal right, the patent of March 30 may have left in suspense, especially as to that which concerns the principle of independence and autonomy for the Duchy of Holstein.

It may be believed that the Diet will not decline this negotiation. No one could, in fact, contest its right to give effect to the resolutions to which it gave expression by its vote of July 9. But it will reflect, we trust, upon the serious consequences for the tranquillity of Germany itself, which might be incurred by an intervention, which should exceed the strict limits of its competence. Whatever may be the rights which may result to it from the arrangements of 1851-52, as regards the Duchy of Schleswig, the Diet could not have the intention to cause a purely federal question to assume the proportions of an international affair.

It is by reason of these considerations, and in a spirit of sincerely friendly interest, that we hope that the Cabinet of Copenhagen may persevere in the disposition which it has manifested, and not preoccupy itself with premature anticipations of a state of war which would not be justified by a calm consideration of the actual state of affairs.

I have to instruct you, M. le Baron, to express yourself in this sense to the President of the Council, in reading to him the present despatch.

We are ready to believe that the Cabinets of Paris and London take the same view as ourselves of the present situation of the Dano-German difference, and if their Representatives at Copenhagen should receive directions to hold language analogous to that which is prescribed to you, you will, as a matter of course, join with them in a spirit of pacification and conciliation.

Accept, &c.

(Signed) GORTCHAKOFF.

No. 130.

Sir A. Malet to Earl Russell.—(Received September 23.)

My Lord, *Frankfort, September* 21, 1863.

I HAD the honour of acquainting your Lordship by telegram yesterday that in a sitting of the Diet held on Saturday the 19th, the Report of the joint Committees for the affairs of the Danish Duchies and for Execution had been presented, and that this Report proposed for the Diet's adoption a Resolution directing Military Execution in the Duchy of Holstein, and that the Diet's vote thereupon would be taken on the 1st of October.

It would be needlessly occupying your Lordship's time to do more than give a brief extract from the long reasoning of this Report, and a summary of the conclusions rather fuller than that which I had the honour of conveying to your Lordship by the telegraph.

The sentence of the Report which appears to me of the greatest importance, runs to this effect:—

"The aim of the Execution consists unmistakeably in carrying out the Diet's Decrees of the 11th of February and the 12th of August, 1858, of the 8th of March, 1860, of the 7th February, 1861, and the 9th of July, 1863, in so far as this has not already been done, and at the same time in fulfilment of the declared engagement entered into by the Royal Rescript of the years 1851-52, with reference to the Duchies of Holstein and Lauenburg—that is to say, to establish between the said Duchies, together with Schleswig and the Kingdom of Denmark proper, a general Constitution, connecting them by a common union ("gleichartigen Herbande"), which should secure the independence and equal rights of each in such wise that no one part should be subordinated to another, and likewise for the establishment of Provincial Constitutions for the Duchies of Holstein and Lauenburg, possessing a representation with competence of final decision."

The provisions offered for the Diet's acceptance on the 1st of October are to this effect:—to declare the reply of the Danish Government of the 27th August to the Diet's repeated summons unsatisfactory, and that Execution must consequently take place; that Austria, Prussia, Hanover, and Saxony be entrusted with carrying out this Execution; that the last two States shall name Commissioners who will have to direct the mode of execution in conformity with instructions from the Diet, and will carry on the Government of the Duchies in the name of the Diet, in lieu of the Government of the King-Duke, and without prejudice to his temporarily suspended rights; that the said two Governments be invited to place 6,000 men at the disposal of the Commissioners, and that Austria and Prussia be requested to support them with reserves sufficient to overcome any possible resistance to the execution; that the usual forms observed in Execution, as presented by the rules of the Diet in the way of notification, &c., be observed, the term of three weeks being fixed as the delay within which Denmark will have to notify compliance with or rejection of the Diet's conditions; that the four Governments which it is proposed to entrust with the Execution be requested to prepare everything for the immediate carrying out of the decision of the Diet.

I have to draw your Lordship's attention to the period of three weeks allowed to the Danish Government to notify its decision, as being the briefer term prescribed by the formula of Execution, all details of which will be found in my despatch of the 24th of July, 1863.

I have, &c.
(Signed) A. MALET.

No. 131.

Count Rechberg to Count Wimpffen.—(*Communicated to Earl Russell by Count Wimpffen, September* 25.)

M. le Comte, *Vienne, le 17 Septembre,* 1863.

DEPUIS quelque temps le Gouvernement Danois redouble d'efforts pour abuser l'opinion publique sur la portée réelle de l'Arrêté Fédéral du 9 Juillet dernier, concernant le différend Dano-Germanique. Ces efforts ne sont pas restés entièrement sans résultats. Nous remarquons même avec regret que les Cabinets Etrangers, et surtout ceux de Londres et de Paris, ne semblent pas se rendre un compte parfaitement exact de la situation.

En effet, d'après les dernières communications qui nous ont été faites sur ce sujet, on paraît attribuer à la Diète l'intention d'étendre au Slesvig les mesures projetées à l'égard des Duchés de Holstein et de Lauenbourg.

Il nous importe beaucoup de ne pas laisser s'accréditer une pareille erreur. Pour vous mettre mieux à même de rectifier sur ce point les appréciations du Cabinet de Londres, je joins ici une copie du dernier Arrêté Fédéral et des considerations qui l'accompagnent. Vous verrez, M. le Comte, par le texte de cette pièce que la Diète a établi une distinction complète entre les droits qu'elle revendique sur les Duchés de Holstein et de Lauenbourg comme partie intégrante de la Confédération, et les réclamations qu'elle fait valoir au sujet du Slesvig en vertu des obligations contractées par le Danemark par les déclarations du 29 Janvier, 1852.

Vous voudrez bien également remarquer que l'Exécution Fédérale, dont il est question pour le cas où le Danemark ne satisferait point aux demandes de la Diète, ne s'applique qu'aux seuls Duchés de Holstein et de Lauenbourg.

Le Gouvernement Danois dénature donc entièrement les faits lorsqu'il prétend que la Diète veut s'arroger le droit de traiter le Slesvig comme un pays appartenant à la Confédération, et d'y exercer la même autorité que dans les deux autres Duchés.

L'Allemagne se réserve, il est vrai, d'insister sur l'accomplissement des promesses faites par le Roi de Danemark. Elle a comme tout autre pays le droit de faire respecter les engagements pris et de veiller à leur exécution. Mais les Gouvernements Allemands ne songent point à dépasser sous ce rapport la stricte limite de leurs droits, et la Diète ne pense pas à donner à ses réclamations au sujet de Slevsig le caractère d'un exercice de son droit d'ingérence dans les affaires intérieures de l'Allemagne comme elle le fait pour ce qui regarde les Duchés de Holstein et de Lauenbourg.

Pour mieux constater ce fait et pour ne pas donner prise à des interprétations erronées, le rapport des Comités réunis sur la dernière déclaration Danoise communiquée à la Diète le 27 Août dernier, évite soigneusement de discuter la question du Slesvig et se borne à examiner et à proposer les mesures applicables aux seuls Duchés de Holstein et de Lauenbourg.

Autant la Diète se montre jalouse de sauvegarder et de faire valoir ses droits incontestables dans le réglement des affaires de ces deux Duchés, autant elle a soin de restreindre son action dans les bornes indiqués, afin de ne point provoquer les complications inopportunes qui pourraient se rattacher à une question portant un caractère international.

Nous regrettons, d'ailleurs, vivement que la dernière déclaration Danoise refuse aussi complètement de donner satisfaction aux légitimes réclamations de la Diète. La réponse du Gouvernement Danois ne laisse pas en effet d'autre alternative que de suivre la voie regulière tracée par la Constitution Fédérale lorsqu'il s'agit de pays faisant partie de la Confédération.

Nous aurions souhaité que l'influence des Cabinets de Londres et de Paris pût se faire sentir d'une manière efficace sur la Cour de Copenhague pour l'amener à des résolutions plus conciliantes.

Les sages conseils donnés dans ce sens pourraient encore avoir un effet salutaire, car les formes légales, dont la Diète ne compte nullement s'affranchir et qui sont une garantie contre toute mesure précipitée laissent au Danemark, le temps de revenir sur les décisions et d'entrer dans la voie des accommodements. Nous serions heureux, pour notre part, qu'il en fût ainsi, et nous nous féliciterions sincèrement de ne point nous trouver dans la nécessité d'avoir recours à une Exécution Fédérale dans les deux Duchés Allemands.

Mais nous ne pouvons nous dissimuler, d'un autre côte, que cette nécessité existe si les demandes de la Diète continuent à être repoussées par le Gouvernement Danois, et que l'Allemagne ne saurait, sans se déconsidérer complètement à ses propres yeux, faire abandon de ses droits les plus incontestables.

Veuillez, M. le Comte, vous exprimer dans ce sens auprès du Gouvernement Anglais, et ne rien négliger pour rétablir dans son vrai jour l'attitude de la Diète envers les diverses parties de la Monarchie Danoise.

Recevez, &c.

(Signé) RECHBERG.

(Translation.)

M. Le Comte,

FOR some time the Danish Government have redoubled their efforts to mislead public opinion with respect to the real object of the Federal Decree of the 9th of July last, upon the subject of the Dano-German dispute. These efforts have not been entirely without results. We even perceive with regret that Foreign Cabinets, and especially those of London and Paris, do not seem to take an entirely correct view of the case.

In truth, according to the last communications which have been made to us on this subject, they seem to ascribe to the Diet the intention of extending to Holstein the measures which were designed with regard to the Duchies of Holstein and Lauenburg.

It is of great importance to us not to allow such an error to gain credence. In order the better to enable you to rectify the appreciations of the Cabinet of London on this point, I inclose a copy of the last Federal Decree, together with the considerations which accompany it. You will see, M. Le Comte, by the text of this document, that the Diet has established a complete distinction between the rights which it claims over the Duchies

of Holstein and Lauenburg, as an integral part of the Confederation, and the protests which it maintains with respect to Schleswig, in virtue of the obligations contracted by the declarations of January 29th, 1852.

You will be pleased to remark also that the Federal Execution, which would be taken in hand in case Denmark should not comply with the demands of the Diet, applies only to the Duchies of Holstein and Lauenburg.

The Danish Government, therefore, completely misrepresent the fact, when they pretend that the Diet wishes to arrogate to itself the right to treat Schleswig as a country belonging to the Confederation, and to exercise in it the same authority as in the two other Duchies.

Germany, it is true, reserves to herself the right to insist upon the fulfilment of the promises made by the King of Denmark. She has, in common with every other country, the right to enforce respect for engagements that have been entered into, and to watch over their fulfilment. But the German Governments have no intention of exceeding in this respect the strict limit of their rights, and the Diet has no intention of giving to its demands, with reference to Schleswig, the character of an exercise of its right of interference in the internal affairs of Germany, as it does with regard to the Duchies of Holstein and Lauenburg.

In order the more fully to confirm this fact, and not to give ground for any erroneous interpretation, the report of the Committees which were assembled, on the communications of the last Danish Declaration to the Diet on the 17th of August last, carefully avoids the discussion of the question of Schleswig, and contents itself with the examination and proposal of measures which are applicable to the Duchies of Holstein and Lauenburg alone.

The jealous care of the Diet for the safe keeping and assertion of its incontestable rights in the arrangement of the affairs of these two Duchies, make it equally careful to restrain its action within the prescribed bounds, in order to avoid giving rise to untimely complication, which might connect themselves with a question bearing an international character.

Beside this, we deeply regret that the last Danish Declaration should refuse so completely to satisfy the legitimate demands of the Diet. The answer of the Danish Government in fact leaves no other alternative than to follow the regular course traced out by the Federal Constitution with regard to countries forming part of the Confederation.

We should have wished that the influence of the Cabinets of London and Paris should be brought to bear in an efficacious manner on the Court of Copenhagen so as to bring it to more conciliatory decisions.

Wise advice given in this sense might still have a salutary effect, inasmuch as the legal forms from which the Diet has no intention of emancipating itself, and which are a guarantee against any precipitate measure, leave time to Denmark to recall her decisions and to adopt an accommodating course. We should be happy, for our part, that things should so turn out, and we should congratulate ourselves sincerely at not being obliged to have recourse to a Federal Execution in the two German Duchies.

But, on the other side, we cannot hide from ourselves the existence of this necessity, the demands of the Diet continue to be rejected by the Danish Government, and Germany could not sacrifice its most incontestable rights without dishonouring herself completely in her own eyes.

Have the goodness, M. le Comte, to express yourself in this sense to the English Government, and to spare no effort to re-establish in its true light the attitude of the Diet towards the various portions of the Danish Monarchy.

No 132.

Earl Russell to Count Wachtmeister.

(Extract.) *Foreign Office, September* 25, 1863.

Her Majesty's Government set the highest value on the independence and integrity of Denmark.

Her Majesty's Government would be ready to offer their good offices to the two

parties about to contend in arms. Her Majesty's Government would be ready to do so in conjunction with France or alone. But the course which Her Majesty might be advised to take with regard to these matters if the good offices of Her Majesty's Government should be unsuccessful, must be the subject of future consideration and decision.

Her Majesty's Government are not prepared to say that Denmark is altogether in the right, or that Germany has not some grounds of complaint in reference to the condition of the German population in Schleswig. But they think these differences should be the subject of negotiation either in Conferences or otherwise, and should not be brought to the issue of war.

Her Majesty's Government will be ready to remind Austria and Prussia of their Treaty obligations to respect the integrity and independence of Denmark.

No. 133.

Sir A. Malet to Earl Russell.—(Received September 28.)

(Extract.) *Frankfort, September* 24, 1863.

I am bound to inform your Lordship that Baron Kubeck never fails to say to me, when we speak on the Danish question, that Austria would have been perfectly content to treat with Denmark on the bases recommended for adoption in your Lordship's despatch of September 24, 1862.

No. 134.

Sir A. Malet to Earl Russell.—(Received September 28.)

My Lord, *Frankfort, September* 25, 1863.

YOUR Lordship will, no doubt, wish to be in possession of the whole of the Report on the Danish Duchies question, as drawn up by M. von der Pfordten, of which I had the honour of giving a summary account in my despatch of the 21st instant.

I beg therefore to annex a translation, remarking that it is made by a German, which will account for some peculiarities of phraseology, but which gives the sense of the original.

I have, &c.
(Signed) A. MALET.

Inclosure in No. 134.

Report of the Committee of Execution, and the Commission appointed on the 29th October, 1857, concerning the Constitution of the Dukedoms of Holstein and Lauenburg.

THE Resolution of the German Diet of July 9th of this year concerning the Dukedoms of Holstein and Lauenburg has been deliyered in Protocol extracts to the Ambassador of Denmark, and the Dukedoms of Holstein and Lauenburg, at the German Diet. The Royal-Ducal Government gave in a declaration thereto in the 27th Session of this year, on 27th August, that is, in the first Session of the Diet after the fixed term of six weeks, which declaration was then handed over to the united Committees.

According to order contained in Article III of the Laws of Execution, the Committees have now to give in their opinion in how far the affair is settled, or, whether the duties towards the Confederacy have not been fulfilled, and consequently what procedure of execution may be adopted.

I. The declaration of the Royal-Ducal Government is printed in Section 208 of the Protocols of the year, and therefore need not be repeated here. No diffuse discussion

will however be requisite clearly to prove that by means of this declaration the demand made on the Royal-Ducal Government has not been acceded to, and consequently that the affair is not settled.

The decision of the Diet of 9th July of this year contained above all the demand not to give validity to the Royal Proclamation of 30th March of this year, but rather to make the same void of power. The Royal-Ducal Government replied, "that they were not able to make the said Proclamation void of power."

The decision of the Diet of 9th July was a further demand, that the Diet may be informed within six weeks that the Royal-Ducal Government had taken the necessary steps for the introduction of a joint Constitution, uniting in an equal league the Dukedoms of Holstein and Lauenburg with Schleswig, and then with the actual Kingdom of Denmark,—whether it be by completely carrying the coalition of 1851-52 into effect, or whether it be based on the conciliatory proposals of the English Government of 24th September of last year. Such statement, however, is not to be found in the declaration of 27th August of this year. On the contrary, the Royal-Ducal Government states, that the premises of 1851-52 had never taken place, and that in consequence of this, their only alternative was either to give up the independence of the whole Danish Monarchy, or the intended closer union of the Confederate countries with the other parts of the State, an alternative which left them but one choice. The conciliatory proposals of Great Britain are not even mentioned in the declaration, and finally only a readiness is expressed "not only to take into the most mature consideration every proposal bearing reference to the Dukedoms of Holstein and Lauenburg, but, in the said Dukedoms, also to put in execution all the Resolutions of the Diet which might neither be incompatible with the inalienable sovereignty of His Majesty the King in his Confederate countries, nor derogatory to the free exercise of the legal power in those parts of his monarchy not belonging to the Confederacy."

It is therefore clear, and cannot be denied by the Royal-Ducal Government, that the demand, which by decision of the Diet of 9th July of this year was made on the same, in regard to the Dukedoms of Holstein and Lauenburg, has not been acceded to, or rather that the said Government has positively declared not to accede thereto.

II. The reporting Committees cannot, on this occasion, either consider it fitting, or as a task of theirs, again to enter into a diffuse discussion of the point in dispute, and will therefore only refer to their Report of 18th June of this year (Protocol Section 142). However, it seems advisable to them to elucidate several assertions and expressions which the Royal-Ducal Government has on the one side opposed to said Report, and on the other side urged as reasons for declining to agree to the decision of the Diet of 9th July of this year.

1. In the Session of 18th June of this year, immediately after the delivery of the Report of the Committees, the Royal-Ducal Ambassador, protesting against the assertions, inferences, and propositions of the Report in general, particularly pointed out that the judgment expressed on the Royal Proclamation of 30th March of this year might arise from a misconception of several of the decisions contained therein, and which might easily have been avoided, had the intermediation of the Ambassador been claimed. This assertion was repeated in the vote of the Royal-Ducal Ambassador, in the Session of 9th July of this year, in the still sharper form, that the Committee Report contained very material errors and mistakes, both in the historical view of the past, as in a proper conception of the Proclamation of 30th March of this year, the Royal Government expressing at the same time the deepest regret that so highly important a decision of the Diet should be partially based on such incorrect premises, without the Ambassador having been allowed any opportunity whatever to clear up any of the misunderstanding prevailing.

This reiterated reproach met with an immediate answer by the reporter of the Committee in the following remark:—"The errors of the Committees, so often mentioned, not being particularly denoted, it can only be assured in return that the Committees carefully confined themselves to those points in which they were convinced of the total clearness and incontestable correctness of facts, and a just appreciation of the same. The Committees were under no obligations to a confidential invitation of the Ambassador to attend their deliberations, inasmuch as it would not have been according to the order of transacting business, and further, as was surely to be foreseen, would have led to no result."

This might have been an inducement enough to point out in a declaration to the Diet the said material errors of the Committees, and sufficient time for this was given both in the term of three weeks between the delivery of the Report and the decision, and in the term of six weeks fixed by the Diet. However, nothing of the kind ensued.

The declaration of the Royal-Ducal Government of 27th August of this year merely states, with repeating such reproach, that the Ambassador is charged to give the Diet every possible and desirable explanation as to the several decisions of the Royal Proclamation of 30th March of this year.

The Committees feel justified, under this state of things, in considering themselves as exempt from every unspecified reproach made them of material errors in their last Report, and are the less induced to call upon the Royal-Ducal Ambassador for further explanations, to the granting of which he again declared himself ready, if especially requested by the Diet or Committees, in a missive of 14th September of this year to the President of the German Diet, advising his necessary departure for the sake of his nealth,—for the sense and aim of the Proclamation of 30th March of this year appears perfectly clear; besides which, this Proclamation neither forms the original cause, nor principal object of the proceedings of the Diet now in question. These proceedings were already brought on the tapis by the decisions of the Diet of 12th August, 1858, and 7th February, 1861, and were only adjourned with a view of confidential negotiations; they must be brought forward again, all the negotiations leading to no result. The Royal Proclamation of 30th March of this year is therefore only a termination of a series of facts, in which the want of a result in those negotiations may as much be found, as in the resistance of the Royal Ducal Government to the execution of the Coalition of 1851-52, and the decisions of the Diet founded thereon; and the retractation of the said Proclamation can in no way appear as the goal of the proceedings of the Diet, founded on the Federal laws, but only as the first step to the fulfilment of the Federal obligations of the Royal Ducal Government.

In this respect, the Reports of the Committees of 18th June of this year, and the words contained in the decision of the Diet of 9th July of this year are so clear, that a repeated argumentation thereon will be entirely unnecessary.

These reflections, however, would not have deterred the reporting Committees from taking any explanation on the aforesaid Proclamation sent to the Diet, or forwarded direct to the Committees by the Royal-Ducal Government into mature and conscientious consideration. Since the delivery of the Report of the Committees of 18th June of this year, the Royal-Ducal Government has had no want of either time or opportunity to do this, and the united Committees do not feel themselves in any wise induced longer to withhold the delivery of their present Report.

2. In the vote of the Royal-Ducal Ambassador of July 9th of this year, it is said, that any legitimate claims derived from the negotiations of 1851-52 have no Federal foundation; and international rights, which the Diet assert to have gained in regard to Holstein, self-understood can only be made valid by international means. This is referred to in the latest Declaration of 27th August of this year, and further is added: "however the Diet may judge on the limits of their competency as fixed in the 'Bundes Acten' (rule of Diet's proceedings), no doubt can be entertained that the Royal-Ducal Government having acknowledged the political independence of the Confederate Dukedoms, and declared itself ready, if necessary, to enter into negotiations for the realisation of the same, the eventuality of an execution can only be comprehended in an international point of view.

The reporting Committees likewise consider the question here brought forward as beyond all doubt, though of course in a reverse sense. Between the Diet, and any individual member of the Diet, and in regard to the Confederate countries, doubtlessly only such connections as are founded on the Federal laws can take place; and all agreements, that are made between the Diet and a member of the Diet for the regulation of any point in dispute regarding the connection of the Confederate countries, must be based on the Federal laws, and considered as the elucidation, completion, and safeguard of the same. It was likewise in this sense that the negotiations carried on, and the agreements made in the years 1851-52 by the Governments of Austria and Prussia in the name of the Diet—in as far as they regarded the Dukedoms of Holstein and Lauenburg—were comprehended, and sanctioned by the decision of the Diet of 29th July, 1852, and the reporting Committees consider it, indeed, as quite superfluous further to refute the newly-raised and totally unfounded contradiction of the Royal-Ducal Government, as being entirely in discordance with the intent and nature of the Diet.

The Diet fixed and publicly acknowledged, in their decision of July 9th of this year, the international character of the rights of the German Diet, in regard to the Dukedom of Schleswig, emanating from the stipulations of 1851-52. And with the same firmness the Diet will adhere to the true Federal character of all their rights and claims in regard to the Dukedoms of Holstein and Lauenburg, and hold them up against every attempt to oppose them.

3. The remaining contents of the Declarations of the Royal-Ducal Government and their Ambassador since the 18th July of this year consist only of references to former discussions, together with protestations; and it would only lead to unnecessary repetitions again to enter into nearer details thereon.

III. Under this state of things, the reporting Committees cannot but unanimously opine, that the case of the non-fulfilment of the Federal obligations is clearly proved, and consequently the proper procedure of execution is to be decided upon.

According to Article II of the Laws of Execution, the fixing of the means to be employed must be added to the decision thereon, and the reporting Committees consider it as a duty devolving on them to give in their consultative opinions as to the direction the object, the means, and the duration of the executive procedure, and to state the most suitable propositions.

The procedure of Execution is, according to the rule mentioned in Article VI of the Laws of Execution, in this case the more to be employed against the Royal-Ducal Government, as none of the exceptions mentioned in said. Article are here to be found, inasmuch as the opposition against the decisions of the Diet emanates from the Government itself.

The object of the Execution, therefore, consists indubitably in the execution of the decisions of the Diet of 11th February and 12th August, 1858; of 8th March, 1860; 7th February, 1861; and 9th July, 1863, in so far as they have not already taken place, therefore in the fulfilment of the obligations entered into in regard to the Dukedoms of Holstein and Lauenburg in the years 1851-52, and published in the Royal Proclamation of 28th January, 1852, therefore:

In the establishment of a joint Constitution, uniting the said Dukedoms with Schleswig, and with the actual Kingdom of Denmark, in an equal union, securing the independence and equal rights of each party so, that no party is subordinate to the other; and, at the same time, in the determining of Provincial Constitutions for the Dukedoms of Holstein and Lauenburg containing a representative body with competent power to conclude.

From this peculiarity of the object of Execution, the general nature of the means of Execution is of itself implied. As long, namely, as the point just mentioned concerning the Constitutions is not settled, the Dukedom of Holstein will be continually exposed to the danger of seeing its rights and interests trespassed on, and experience has shown down to the Royal Proclamation of 30th March of this year; nor is the position of the Dukedom of Lauenburg, at least sufficiently, secured. As therefore a direct compulsion to the establishment of new Constitutions is not feasible, the Execution can only be begun and effected so that the influence of the Royal Danish Government on these two Dukedoms shall entirely cease, and the Administration of the same being conducted instead and in the name of His Majesty, the Duke, shall be conducted by the Diet itself, and by the Civil Commissaries entrusted with the execution. Thereby, the cessation of the sovereign rights of His Majesty the Duke, is expressly to be denoted as only temporary, till a compliance ensues, and every circumspection is to be employed in effecting the execution, as far as the aim of the execution will admit of the same.

This very extent of the task of execution makes it appear advisable to address the order thereto to several Governments, which may be done according to Article VII of the Laws of Execution There are likewise other considerations that speak in favour thereof. The above-mentioned expressions of the Royal-Ducal Government against the admittance of federative procedure in regard to Holstein and Lauenburg, do not exclude the possibility of the Royal Danish Government offering violent resistance to the procedure of execution. The German Diet must therefore, at all events, have the necessary means in readiness, to overpower such resistance on the spot. The united Committees, however, still harbour the conviction that this will not be the case, and therefore consider it advisable that in accordance with Article VII of the Laws of Execution the Governments of Austria, Prussia, the Kingdoms of Saxony and Hanover, be charged with the fulfilment of the resolutions determined on, and in such manner that at first only the Governments of Saxony and Hanover appoint each a Civil Commissary, and send a corps of about 6,000 men to the Dukedoms of Holstein and Lauenburg, to ensure the efficacy of the proceedings of the Commissaries in their charge; but that the Governments of Austria and Prussia conjointly with the above Governments keep a sufficient force in readiness fully to ensure the immediate accomplishment of the Execution against every possible resistance on the part of the Royal-Ducal Government. The manner in which this state of readiness is to be effected, and the eventual advancing of this military force might best be left to an understanding between the Governments charged with the Execution.

That the nomination of several Civil Commssiaries according to the words of

Article VIII of the Laws of Execution is not actually to be considered as excluded, is proved by several similar preceding cases, and both the extent and presumptive duration of the execution in question make it appear advisable to imitate the precedents. Therefore, as we have already stated, not only the Governments of Saxony and Hanover would be charged with the appointment of a Civil Commissary for each, but it must also be left at the option of the Governments of Austria and Prussia likewise to appoint Civil Commissaries in case their troops should be called into action.

According to Article VII of the Laws of Execution, the duration of the Execution must be determined immediately with the delivery of the order thereto, and must correspond with its aim. In the said case it is therefore impossible to fix any duration of time, as it can only be said that this occupation and administration of the Dukedoms of Holstein and Lauenburg have to last up to the time when the new Constitutions above mentioned as aim and task of the execution shall be established.

If the Diet decides on the procedure of Execution in the manner as consulted till now, they will, before decreeing actually to carry this decision into effect, and in accordance with Article IV of the Laws of Execution, communicate this decision to the Royal-Ducal Government by means of their Ambassador at the Diet, and address an appropriate and explanatory summons to the same to comply therewith within a certain term to be fixed in accordance with the state of the affair.

A reference to the decision of 9th July of this year, and the Report of the Committees of 18th June of this year, on which it is founded, as also to the present Report, will be the most appropriate explanations, and as well adapted as ample, in every respect. As term for the delivery of the declaration of compliance of the Royal-Ducal Government, a period of three weeks may be considered as the most appropriate.

V. The Reporting Committees consider it scarcely necessary, after their present statement, particularly to set forth that the reason and aim of the proposed procedure of Execution is confined to the rights and claims of the Diet, in regard to the Dukedoms of Holstein and Lauenburg, but that the German Diet reserve to themselves all authority, and all measures that may appear necessary, relative to the international rights of the Diet, in regard to the Dukedom of Schleswig.

From these considerations, the United Committees make the motion :—The German Diet may please to decide :—

I. The Royal Danish, Ducal Holstein-Lauenburg Government have not fulfilled their Federal obligations relative to the Constitutions of the Dukedoms of Holstein and Lauenburg, and especially have not complied with the decision of the Diet of 9th July of this year in their declarations of 27th August of this year ; the appropriate procedure of Execution must now therefore be decided on, in order to carry into effect, in both the aforesaid Dukedoms, the decisions of the Diet of 11th February and 12th August, 1858, of 8th March, 1860, of 7th February, 1861, and 9th July, 1863, in as far as the same has not already taken place.

II. The order for the Execution is to be given to the Imperial Austrian, the Royal Prussian, the Royal Saxon, and the Royal Hanoverian Governments ; and

1. The Governments of Saxony and Hanover are to be requested to appoint each a Civil Commissary, who, eventually, according to the instructions given them on this head by the Diet, will have to lead the procedure of Execution, and accordingly, until the entire attainment of the Article I denoted purpose of Execution will have to conduct, by order of the German Diet, the Administration of the Dukedoms of Holstein and Lauenburg instead and in the name of His Majesty the Duke, without prejudice to the rights of the same, which only temporarily cease.

2. The said Governments are to be held to have the Civil Commissaries attended with a military corps of about 6,000 men, the troops to be chosen as they may mutually agree ; and also at the same time, the Governments of Austria and Prussia are to be requested, conjointly with those of the Kingdoms of Saxony and Hanover to hold a superior military force in readiness for the immediate aid of the said military corps, in case of the procedure of Execution meeting with open resistance.

III. This resolution is to be communicated to the Royal-Ducal Government in accordance with the Article IV of the Laws of Execution, by means of their Ambassador at the Diet, and at the same time the summons to compliance and notification of the same within three weeks, is to be addressed to the said Government with explanatory reference to the Report of the Committees of 18th June of this year, the decision of the Diet of 9th July of this year, and to the Report of the Committee, on which this present resolution is based.

IV. The Governments of Austria, Prussia, Saxony, and Hanover are to be made

acquainted with this resolution, together with the request, that they may prepare everything necessary, and in such manner, that at the ensuing summons of the Diet, the measures resolved on, may immediately be put into effect.

No. 135.

Sir H. Howard to Earl Russell.—(*Received September* 28.)

My Lord, *Hanover, September* 25, 1863.

YOUR Lordship will be acquainted with the Resolutions in respect to a Federal Execution in Holstein, which were proposed by the United Committees of the German Diet in the sitting of the 19th instant, and upon which a vote will be taken on the 1st of October.

In view of the attitude which the Hanoverian Government have taken on this question your Lordship will not be surprised to learn that their vote will be given in favour of those Resolutions, though I much doubt their being pleased at the arrangement according to which they, in conjunction with Saxony, are in the first instance to be charged with carrying out the Execution.

I have over and over again called Count Platen's attention to the serious consequences for the peace of Europe which may result from the contemplated armed Execution in Holstein, but his Excellency, whilst professing to believe that some incident or other will intervene to prevent it actually being carried out, has always declared that Germany has gone too far to recede, adding that it is at Copenhagen that the influence of Her Majesty's Government should be employed to prevent a conflict.

Count Platen had led me to believe that the forms of proceeding as regards the Execution would require ten weeks, but M. Zimmermann mentioned to me yesterday the month of November as the period at which the Federal Commissioners, accompanied by the appointed troops, would be likely to enter Holstein, if Denmark should not yield by withdrawing the Royal Patent of the 30th of March last.

I have, &c.

(Signed) HENRY F. HOWARD.

No. 136.

Mr. Ward to Earl Russell.—(*Received September* 28.)

My Lord, *Hamburgh, September* 25, 1863.

I HAVE the honour to apprise your Lordship that much anxiety prevails among the merchants and shipowners of this city in regard to the consequences which may result from a Federal army of Execution being sent by the Germanic Diet into the Duchies of Holstein and Lauenburg. It is expected that the Diet will actually resolve upon that proceeding in its sitting of October 1st; and, if so, it is calculated that the Federal troops may enter the Duchies towards the end of November, or in the first days of December. According to the Report made by the joint Committees to the Diet on the 18th instant, the duty of carrying out the Execution will devolve primarily upon the Governments of Saxony and Hanover, which are to occupy the Duchies with an armed force of six thousand men only, but are to be supported by Austria and Prussia in case a further force should be required.

The causes which have brought matters to this crisis are so well known to your Lordship, that it is scarcely necessary for me to allude to them here. The motives of the Federal Diet have been anticipated in the elaborate Report presented to that body on the 18th of June last by the Bavarian Envoy, M. von der Pfordten, in the name of the joint Committees for the affairs of Holstein and Lauenburg, and for Execution. In that Report a distinction was carefully drawn between the proceeding to be taken as regarded Holstein and Lauenburg, and that regarding Schleswig. In the former case, due preparations were to be made for carrying out the Execution already decided upon by previous resolutions of the Diet; in the latter, Austria and Prussia were to be charged to enter into communication with Denmark, in order to obtain the fulfilment of her engagements as between State and State, upon the basis of international law. There does not, therefore, appear to be any pretence for an allegation on the side of Denmark that the Federal

Diet has exceeded its powers, or that the Execution will be issued partly on account of Schleswig, and will be therefore formally wrong. The regularity of the Execution can scarcely be doubted, and it is well known to have been in the last instance provoked by Denmark herself in issuing the unconstitutional Ordinance of the 30th of March last. Had that Ordinance been timely revoked, the present crisis might have been avoided, and the danger which has so long threatened the tranquillity of these countries might have been averted for a still further term.

The point, however, to which I am more especially desirous of entreating your Lordship's attention is, that an apprehension is generally felt here lest the Danish Government should treat the Execution as a belligerent act on the side of Germany, and should answer it by a blockade of the mouths of the Elbe and the Weser, or by the detention of German ships on the high seas. Mr. Syndic Merck lately called upon me, and, after dwelling upon the great importance of this matter to the trade of Great Britain as well as of Germany in general, inquired whether I could at all inform him what view Her Majesty's Government would be likely to take of the legality or illegality of such a blockade of the German ports by the Danes, and whether, if illegal, Great Britain would not resort to reprisals for any British ships or goods which the Danes might make seizure of? He considered it quite clear that a Federal Execution, being a measure of mere internal regulation for a German State, could form no justifiable ground for a blockade, or any other belligerent international act, and observed that the Hanse Towns had unfortunately no means at their command for resisting such acts of violence, or protecting their merchant vessels. I answered that I could not then say anything upon the subject further than that I would take care to apprise your Lordship of the apprehensions entertained here, and that the question would doubtless be well considered by Her Majesty's Government. The Syndic replied that the Senate would take it as a great favour if I should be authorised to inform them of any decision which Her Majesty's Government might come to in a matter of so much moment to the commercial interests of this port.

The injury which would result to British trade and navigation from a blockade of the Elbe would be apparent from the fact that above one-half of the entire foreign commerce of Hamburgh is carried on under the British flag. Upon an average of the five years, 1858 to 1862, inclusive, the total number of sea-going ships which arrived annually at Hamburgh was 4849, of which 1776 ships were British. The total burthen of the ships which so arrived was 1,224,063 British tons, whereof the British proportion was 614,712 tons. But this is not all. The quantity of British goods which is regularly brought to Hamburgh in foreign ships is very large indeed, and such goods, being neutral property, would not, in any event, be liable to capture under an enemy's flag, according to the terms of the Declaration of Paris, dated April 16th, 1856, to which Denmark subsequently acceded.

A blockade of the Weser would, of course, paralyse the commerce of Bremen, and would therefore likewise cause serious injury to British trade and navigation. It is possible also that a Danish blockade, if once established, might extend to other seaports belonging to Prussia and Hanover.

In these circumstances, I would humbly submit to your Lordship, whether, in case it should be evident that Denmark contemplated belligerent measures at sea in answer to the Execution, and Her Majesty's Government should be of opinion that such measures would be unjustifiable, it might not be expedient to warn the Danish Government against instituting a blockade, or detaining any British ships or goods; inasmuch as such a warning would inspire the Danes with the fear lest reprisals should be made against them by Great Britain, and such fear could hardly fail to operate in restraining them from the adoption of any belligerent proceedings at sea.

I have, &c.
(Signed) J. WARD.

No. 137.

Earl Russell to Sir A. Malet.

Sir, *Foreign Office, September 29, 1863.*

YOUR despatch of the 21st instant, shows in a convincing manner, that the state of affairs between Germany and Denmark is becoming very serious.

You state that a report of a Committee has been presented to the Diet, from your analysis of which it appears that the framers of this report recommend Federal Execution

in the Duchy of Holstein; that the report is to be considered on the 1st of October, and, if adopted, Execution will take place three weeks afterwards; the shortest interval of time, you observe, which the Constitution of the Diet allows.

It appears further that the grounds upon which the Resolution of Federal Execution is to be based, are of the widest description.

The Report says, "The aim of the Execution consists unmistakeably in carrying out the Diet's Decrees of the 11th of February and the 12th of August, 1858, of the 8th of March, 1860, of the 7th of February, 1861, and the 9th of July, 1863, in so far as this has not already been done, and at the same time, in fulfilment of the declared engagement entered into by the Royal Rescript of the year 1851-52, with reference to the Duchies of Holstein and Lauenburg; that is to say, to establish between the said Duchies, together with Schleswig and the Kingdom of Denmark proper, a General Constitution, connecting them by a common union ('Gleichartiger Herbande'), which should secure the independence and equal rights of each, in such wise that no one part should be subordinated to another; and likewise for the establishment of Provincial Constitutions for the Duchies of Holstein and Lauenburg, possessing a representation with competence of final decision."

It is impossible for Her Majesty's Government to shut their eyes to the gravity of the proposition which the Diet have to consider.

Had the Report of the Committee gone no further than to affirm that the Royal Letters-Patent do not fulfil the Resolutions of the Diet as to the Duchy of Holstein; that the Duke of Holstein has no right to dispose of the money of Holstein without the consent of its Representatives; that he has no right to enact laws for Holstein, but in concurrence with the Diet of Holstein; that the long delays of the Danish Government to come to a satisfactory arrangement, have made Federal Execution necessary;—Her Majesty's Government, although they would still have lamented the interference of the German Diet at this particular time, could not have denied that the principles asserted were the sound and indeed, the fundamental, principles of Constitutional Government.

But it cannot be pretended that the Constitution of the whole Danish monarchy can be subject to the jurisdiction of the German Confederation.

If the Representatives of the Duchies of Holstein and Lauenburg are to have a veto on the proceedings of the Danish Parliament and of the Danish Government, it is obvious that measures the most necessary for the defence of Denmark against a foreign enemy may be hindered, the whole action of the Danish monarchy may be paralysed, and the integrity and independence of Denmark may be seriously impaired.

Her Majesty, by the Treaty of London of May 8, 1852, is bound to respect the integrity and independence of Denmark. The Emperor of Austria and the King of Prussia have taken the same engagement.

Her Majesty could not see with indifference a military occupation of Holstein, which is only to cease upon terms injuriously affecting the Constitution of the whole Danish monarchy.

Her Majesty's Government could not recognise this military occupation as a legitimate exercise of the powers of the Confederation, or admit that it could properly be called a Federal Execution.

Her Majesty's Government could not be indifferent to the bearing of such an act upon Denmark, and upon European interests.

Her Majesty's Government therefore earnestly entreat the German Diet to pause, and to submit the questions in dispute between Germany and Denmark to the mediation of other Powers unconcerned in the controversy, but deeply concerned in the maintenance of the peace of Europe and the independence of Denmark.

You are desired to give the President of the Diet a copy of this despatch.

I have, &c.

(Signed) RUSSELL.

No. 138.

*Earl Russell to Lord Bloomfield.**

My Lord, *Foreign Office, September* 30, 1863.

I INCLOSE a copy of a despatch which I have addressed to Her Majesty's Minister at Frankfort,† of which I have directed him to give a copy to the President of the Diet, on the subject of the state of affairs between Germany and Denmark; and I have to instruct your Excellency to communicate this despatch to the Austrian Government.

I am, &c.

(Signed) RUSSELL.

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* A similar despatch was addressed to Sir A. Buchanan. † No. 137.

No. 2.

Correspondence respecting the Affairs of the Duchies of Holstein, Lauenburg, and Schleswig.

Presented to both Houses of Parliament by Command of Her Majesty. 1864.

LONDON:
PRINTED BY HARRISON AND SONS.

Correspondence respecting the Affairs of the Duchies of Holstein, Lauenburg, and Schleswig.

No. 139.

*Earl Russell to Lord Bloomfield.**

My Lord, *Foreign Office, September* 30, 1863.

THE Resolutions of the German Diet respecting a Federal Execution in Holstein, make it incumbent upon Her Majesty's Government to remind the Government of Austria of its existing Treaty obligations with respect to Denmark.

The Diet appears to require a common Constitution for Denmark, Schleswig, and the German Duchies. But it is obvious that this point, which touches so nearly the rights and privileges of the people of Denmark, can never be the subject of Federal Execution. A Common Constitution can only be the result of a general agreement of the Kingdom of Denmark with the States of Holstein, Lauenburg, and Schleswig, represented by their several Parliaments or Diets.

Austria has engaged by the Treaty of 1852 to respect the integrity and independence of Denmark.

Her Majesty's Government trust that no act of Federal Execution, to which Austria may be a party, and no act of war against Denmark, on the ground of the affairs of Schleswig, will be allowed to clash with this primary and essential Treaty obligation.

Her Majesty's Government indeed entertain a full confidence that the Government of Austria is as deeply impressed as Her Majesty's Government with the conviction that the independence and integrity of Denmark form an essential element in the balance of power in Europe.

I am, &c.
(Signed) RUSSELL.

No. 140.

Earl Russell to Sir A. Buchanan.

Sir, *Foreign Office, September* 30, 1863.

I HAVE received your Excellency's despatch of the 19th instant, on the subject of the Danish Duchies.

Her Majesty's Government take a great interest in the welfare of Denmark, and they are glad to learn that Prussia has counselled moderation in respect to the question of Holstein.

It appears to Her Majesty's Government that instead of resorting at once to a Federal Execution, the Diet ought to demand from Denmark a clear and explicit declaration of the meaning of the words "explanations" and "negotiations," which she has used in relation to the Royal Letters-Patent of the 30th of March.

If these explanations open the way to a satisfactory arrangement all grounds for a Federal Execution will be taken away; and if they do not, the Diet can still resort to a Federal Execution.

Her Majesty's Government are willing to offer their good offices to bring about a conciliatory termination of these difficult affairs.

I am, &c.
(Signed) RUSSELL.

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* A similar despatch was addressed to Sir A. Buchanan.

No. 141.

Sir A. Malet to Earl Russell.—(Received October 2.)

My Lord, *Frankfort, October* 1, 1863.

CAPTAIN BLACKWOOD delivered to me, at a late hour last night, your Lordship's despatch of the 29th September.

I have conformed myself to your Lordship's instructions in delivering a copy of it, with the note of which I have the honour to annex a copy, to his Excellency the President of the Diet this morning.

I had but a brief conversation with Baron de Kübeck on handing him my note. His Excellency observed that your Lordship's despatch came late, as the vote on the Report was to be taken this day. I said I hoped it was not too late to obtain that pause in the proceedings of the Diet which your Lordship's despatch earnestly entreated the Diet to make, in the name of the British Government.

His Excellency pressed me to give him a French translation of your Lordship's despatch; but this I declined, not only as contrary to our standing instructions, but from its being impossible to make a translation in time to accompany the presentation of the original in the sitting of the Diet, which takes place at 12; my interview with his Excellency was at 10 o'clock.

I beg leave to observe that, in one point, your Lordship is in some misapprehension of my despatch of the 21st September. It is therein stated that three weeks were fixed as the period within which the Danish Government will have to notify compliance with, or rejection of, the Diet's conditions; and that this is the briefest term prescribed by the formula of Execution.

This does not imply (as your Lordship has read my despatch) that the Execution will take place at the expiration of these three weeks. There must elapse, at least, one, if not two, more such periods before the troops and Commissioners will occupy Holstein, if the Diet adopts the conclusions of the Report.

The order of Execution directs that, after the State threatened with Execution has intimated its refusal to obey the first summons, a second communication should be made that the actual Execution will take place within a fixed period.

This term may be of six weeks; but may also be reduced to three, which is the briefest, as six is the longest, term prescribed by the Diet's rules.

I have, &c.

(Signed) A. MALET.

Inclosure in No. 141.

Sir A. Malet to Baron de Kübeck.

Frankfort, October 1, 1863.

THE Undersigned, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, has been instructed by Earl Russell to present to the Baron de Kubeck the accompanying despatch dated September 29th, and requests that his Excellency will be so good as to communicate it to the High Diet.

The Undersigned regrets that the lateness of the hour at which the despatch arrived last night made it impossible for him to communicate it earlier to his Excellency.

The Undersigned, &c. (Signed) A. MALET.

No. 142.

Sir A. Malet to Earl Russell.—(Received October 2.)

(Extract.) *Frankfort, October* 1, 1863.

I FULLY expect that the vote on will be taken to-day, as the members of the Di all have their instructions, and there is not time to ask for fresh ones from their Gover ments. There can, however, be no doubt that the language held by your Lordship will caus all the forms of delay which the Diet's rules allow to be observed, and though irritation wil be felt at the intervention, especially by the smaller States, I am convinced that a grea and salutary effect will be produced.

No. 143

Sir A. Malet to Earl Russell.—(*Received October* 2.)

My Lord, *Frankfort, October* 1, 1863.

I HAVE just learnt that the Diet's vote on the Report on the Danish Duchies has taken place. Fourteen voices were given in favour of its adoption. Baden and the Netherlands voted against the Report, and the vote of Denmark was reserved.

The three weeks allowed to Denmark for notifying compliance with the demands of the Diet thus voted, will reckon from the date of the communication of the Protocol to the States directed to enforce the Execution.

This communication will, I understand, be made in three days.

I have, &c.

(Signed) A. MALET.

No. 144.

M. Hall to M. de Bille.—(*Communicated to Earl Russell by M. de Bille, October* 3.)

Monsieur, *Copenhague, le* 28 *Septembre,* 1863.

JE vous envoie sous ce pli copie du Rapport que les Comités réunis ont soumis à la Diète de Francfort dans sa séance du 19 de ce mois.

Le Rapport fait l'aveu formel qu'il ne s'agit pas de garantir aux Duchés Fédéraux cette autonomie et cette égalité des droits qu'on avait réclamées jusqu'ici avec tant d'insistance, mais que l'Allemagne veut nous forcer de faire entrer les Duchés dans une Constitution commune pour la Monarchie, qui réduirait cette Monarchie tout entière à une dépendance continuelle de l'Allemagne. Je prends acte de ce programme d'une Exécution éventuelle.

Ensuite le Rapport décline l'ouverture qui avait été fait dans notre dernière déclaration relativement à de nouvelles négociations à entamer sur la position que la Patente du 30 Mars avait créée au Holstein. Tous les Cabinets ont reconnu dans cette ouverture de notre part le moyen pour l'Allemagne de quitter l'attitude menaçante qu'elle avait prise au grand danger de la paix dans le Nord.

Je dois donc constater que les conséquences qui pourront découler des résolutions extrêmes de la Diète tomberont par suite de ce refus exclusivement et uniquement à sa charge.

Le Ministre du Roi à Francfort se bornera Jeudi prochain à réserver les droits du Roi, en s'abstenant du reste de voter. Jusqu'au bout le Gouvernement compte maintenir sa politique de modération et de conciliation, et ces mêmes sentiments ont trouvé une nouvelle expression dans le discours du Trône qui a été prononcé aujourd'hui à l'ouverture du Rigsraad, et que je vous envoie ci-joint en traduction Française.

J'ai, &c.

(Signé) C. HALL.

(Translation.)

Sir, *Copenhagen, September* 28, 1863.

I INCLOSE herewith a copy of the Report which the United Committees have submitted to the Diet of Frankfort in its sitting of the 19th of this month.

The Report formally avows that there is no question of guaranteeing to the Federal Duchies that autonomy and equality of rights which had been hitherto so pressingly demanded; but that Germany wishes to force us to admit the Duchies into a common Constitution with the Monarchy, which would reduce that entire Monarchy to a continual dependence on Germany. I take cognizance of this programme of an eventual Execution.

The Report then declines the overture which had been made in our last declaration, with regard to the institution of fresh negotiations on the position which the Patent of March 30 had created for Holstein. Every Government has recognised in this overture on our part a means for Germany to quit the menacing attitude which she had assumed, to great danger of peace in the North.

I must therefore affirm that the consequences which may result from the extreme resolution of the Diet will fall solely and exclusively on it, in consequence of this refusal.

The Minister of the King at Frankfort will confine himself next Thursday to reserving the rights of the King, and will abstain from any further vote: To the last moment the

Government will maintain its policy of moderation and of conciliation, and these same sentiments have found fresh expression in the speech from the Throne which has been pronounced to-day at the opening of the Rigsraad, and which I send you herewith in French translation.

I have, &c.
(Signed) C. HALL.

No. 145.

Sir A. Paget to Earl Russell.—(*Received October* 5.)

My Lord, *Copenhagen. October* 1, 1863.

I HAVE the honour to inclose a translation of the new Constitution for Denmark and Schleswig, which, in conformity with an announcement made in the Royal Message, has been submitted to the consideration of the Rigsraad.

M. Hall brought it forward in the sitting of the 29th instant, and according to its enactments the Rigsraad is henceforward to be composed of two Chambers—the First composed of 75 members, of whom 25 nominated by the King, and 50 elected according to the Electoral Law now in force in the Rigsraad.

The Second Chamber will consist of 130 members, elected according to the Electoral Law for the Rigsraad.

The competency of the Rigsraad relative to what are called common or special affairs is not in any way changed.

The object of the Danish Government in introducing these changes is probably to render the Representative Assembly of the Monarchy more generally popular; but it is to be regretted that any constitutional changes should be brought forward at this particular moment, and I cannot but fear that they will produce a very irritating effect in Germany.

Your Lordship will perhaps remember the protest which was addressed to this Government by Austria and Prussia on the occasion of changes being proposed in the Constitution in 1862, and that this protest was subsequently ratified by a vote of the Diet.

I have, &c.
(Signed) A. PAGET.

Inclosure in No. 145.

Draft of a Fundamental Law for the Common Affairs of the Kingdom Denmark and the Duchy of Schleswig.

[For this Fundamental Law, as sanctioned on the 18th of November, 1863, see Inclosure 1 in No. 293.]

No. 146.

Sir A. Buchanan to Earl Russell.—(*Received October* 5.)

My Lord, *Berlin, October* 3, 1863.

WHEN I mentioned to M. de Thile yesterday the means by which Her Majesty's Government are of opinion that a Federal Execution in Holstein may be prevented, he expressed a wish that I would call upon him again to-day and read to him the exact terms of the suggestions which have been made by your Lordship. I accordingly did so, and he took a note of the terms of the demand which Her Majesty's Government consider that the Diet ought to make to Denmark for a clear and explicit declaration of the words "explanations and negotiations," which she has used in relation to the Royal Letters-Patent of the 30th of March, and also of the terms in which Her Majesty's Government state that they are willing to offer their good offices to bring about a termination of the difficult affairs in question.

M. de Thile said that if the suggestion of your Lordship as to the ground on which negotiation should be opened were thought acceptable by the King and M. de Bismarck, and the Diet should be disposed to accept the good offices of Her Majesty's Government in this question, there would be great difficulties as to the form, and he asked whether Denmark might not be induced to make some proposal to the Diet or to Her Majesty's

Government which would enable the Diet to re-open negotiations without a loss of dignity. He attached much importance also to the meaning of the words "are willing to offer," wishing to know whether Her Majesty's Government would expect an invitation from the Diet, and he asked whether a similar suggestion had been made to Austria, as the two Powers had hitherto acted together in this question, and it was the only one in which they had been able to do so.

I replied that your Lordship had not informed me whether you had acquainted the Austrian Government with the willingness of Her Majesty's Government to offer their good offices; but I presumed you had communicated to them your despatch to Sir Alexander Malet of the 29th ultimo, and it appeared to me that the moderation with which the Prussian Government is believed to have acted in the late discussions on the affairs of the Duchies, and their presumed desire to prevent a war in the North of Europe, as reported by Her Majesty's Embassy, have induced Her Majesty's Government to make their present overture; and I said if the Prussian Government are disposed to meet that overture in the spirit in which it has been made the form ought not to be a matter of difficulty, and I was sure that Her Majesty's Government would be ready to receive favourably any suggestion which they might wish to make on that point.

I have, &c.
(Signed) ANDREW BUCHANAN.

No. 147.

Sir A. Buchanan to Earl Russell.—(*Received October* 5.)

My Lord, *Berlin, October* 3, 1863.

WITH reference to your Lordship's despatch of the 30th ultimo I acquainted M. de Thile yesterday with the opinion of Her Majesty's Government that the German Diet, instead of resorting at once to a Federal Execution, ought to demand from Denmark a clear and explicit declaration of the meaning of the words "explanations and negotiations," which she has used in relation to the Royal Letters-Patent of the 30th of March, and I intimated to his Excellency that Her Majesty's Government are willing to offer their good offices to bring about a conciliatory termination of the difficult questions relating to the Danish Duchies.

M. de Thile said he would write to the King immediately upon the subject, and take His Majesty's orders upon it.

I have, &c.
(Signed) ANDREW BUCHANAN.

No. 148.

Sir A. Buchanan to Earl Russell.—(*Received October* 5.)

My Lord; *Berlin, October* 3, 1863.

I YESTERDAY took an opportunity of making M. de Thile, in the absence of M. de Bismarck, acquainted with the contents of your Lordship's despatch of the 30th ultimo, in which you state that the Resolution of the German Diet respecting a Federal Execution in Holstein makes it incumbent on Her Majesty's Government to remind the Government of Prussia of its existing obligations with respect to Denmark, and I said, as the subject was an important one, I thought it might be more satisfactory to him if I read your Lordship's observations to him.

He listened to them attentively, and said he would report them to the King by a messenger he was about to dispatch in the evening to Baden.

I have, &c.
(Signed) ANDREW BUCHANAN.

No. 149.

Sir A. Malet to Earl Russell.—(Received October 5.)

My Lord, *Frankfort, October* 3, 1863.

WITH reference to my despatch of the 1st instant, I learn that the votes of the Netherlands and Baden Ministers against the conclusions of the Report on the Danish Duchies question were given on totally different motives.

The Representative of Luxemburg objected to the principle on which the interference of the Diet is based. The Baden Government does not think the Diet goes far enough, and while professing readiness to act in conformity with the decision of the majority of the Diet, reserves to itself the privilege of recording its reasons for dissent on the Protocol of the Diet's sitting.

These reasons, I understand, will go the length of expressing the opinion that the Treaty of London of 1852 should be considered invalid and of no effect, and that the Law of Succession for the Duchy of Holstein should be held to exist as it was established before the conclusion of that Treaty.

I understand that, in view of the eventual Execution, the Governments of Hanover and of Saxony make it a condition of their supplying the troops for occupying Holstein and Lauenburg that the Austrian and Prussian reserves should be actually on foot, and ready to support them if resisted by the Danes.

I have, &c.
(Signed) A. MALET.

No. 150.

Earl Russell to Mr. Ward.

Sir, *Foreign Office, October* 7, 1863.

I HAVE received your despatch of the 25th ultimo, reporting the apprehensions entertained of a Danish blockade of the Elbe and the Weser in case the Federal Execution is carried out in Holstein; and I have to state to you, with reference to the inquiries of Mr. Syndic Merck upon this subject, that Her Majesty's Government are of opinion that the German Diet ought to refrain from Execution.

Her Majesty's Government cannot prevent the Danish Government from using the belligerent right of blockade if the Execution is based on demands not justified by the laws of the Germanic Confederation.

The Hanse Towns ought, therefore, to exert their influence as members of the Germanic Confederation to prevent that Military Execution which might, and probably would, lead to consequences seriously affecting the interests of the Hanse Towns.

I am, &c.
(Signed) RUSSELL.

No. 151.

Sir A. Malet to Earl Russell.—(Received October 8.)

My Lord, *Frankfort, October* 6, 1863.

I WAS rightly informed as to the tendency of the Baden declaration made in the Diet's sitting of the 1st of October, as referred to in my despatch of the 3rd instant, viz., that it went the length of pronouncing an opinion that the Treaty of London in respect of the Succession right in the Danish Duchies was null and of no effect.

It is unnecessary to trouble your Lordship with the entire text of this declaration, which, after remarking that the Baden Government holds that, as the engagements taken by Denmark have been left absolutely unfulfilled in spite of repeated summonses, the Confederation on its part is free from the obligations contracted in 1851-52, and contains the following sentences:—

"Baden recognizes the ancient rights of the Duchies as repeatedly sanctioned by European Treaties as still existing, and appertaining to their future Constitution ('Staatsrechts'). These rights Baden holds to be re-established in all their entirety, both for the connexion of the two Duchies of Holstein and Schleswig, for their present and future relations to the Germanic Confederation, and, above all, for the hereditary right of Succession of the Grand Ducal House, which alone legally subsists."

To this declaration Baden adds that she is ready to concur in what is decided by the majority of her confederates, and to assist with all her power in repelling aggressions on German right.

I have, &c.
(Signed) A. MALET.

No. 152.

Sir H. Howard to Earl Russell.—(*Received October* 12.)

(Extract.) *Hanover, October* 3, 1863.

I HAD some conversation yesterday with M. Zimmermann on the subject of the adoption by the German Diet, in its sitting of the 1st instant, of the Resolutions proposed by its Committee on the Schleswig-Holstein question.

M. Zimmermann stated that the Hanoverian Government in voting for the Resolutions, had stipulated, first, that precautions should be taken for placing the Austrian and Prussian reserves, which are to support the Hanoverian and Saxon troops of Execution, near at hand; secondly, that if there should be danger of Denmark resisting the Execution, the Austrian and Prussian troops should enter Holstein together with the Hanoverian and Saxon Contingents; and thirdly, that the expenses to be incurred by Hanover and Saxony on account of the Execution should be advanced by the Federal Treasury. He then alluded to a despatch from your Lordship which had been communicated to the Diet, and referred by it to its Committee, directed against the carrying out of the Execution, and suggesting to the Diet to submit the question to the mediation of a disinterested Power, and after asking me whether I had received a copy of it, and learning from me that I had not, though I concluded I should do so, he observed that the affair was now assuming larger and more serious proportions.

In reply, I strongly urged upon M. Zimmermann the expediency of the Hanoverian Government instructing their Representative at the Diet to exert his influence in the Committee of which he is a Member, in favour of the adoption of the plan of mediation which he told me had been proposed by your Lordship, and I again represented the grave responsibility which would attach to the German Powers were they to give the signal for what would probably become an European war.

General de Stieglitz, Quartermaster-General of the Saxon army, has been here in order to concert measures with the Hanoverian military authorities in respect to the Execution, with which Saxony and Hanover have been jointly charged by the Diet.

M. Zimmermann assured me, however, that as yet only conversations had taken place between the Saxon General and those authorities, and that no arrangements had been concluded.

Your Lordship's abovementioned despatch appears to have had a very salutary effect upon this Government.

The apprehension too of a blockade by Denmark of the North German ports may likewise perhaps contribute to moderate the ardour of some of the Governments, though it will probably enter into their tactics to postpone the Execution until the season of the year would render it difficult for the Danish cruizers to hold the sea.

No. 153.

Sir A. Buchanan to Earl Russell.—(*Received October* 12.)

My Lord, *Berlin, October* 3, 1863.

I HAVE the honour to inclose herewith the copy of a note which I have addressed to M. de Bismarck, communicating to the Prussian Government, in conformity with the instructions conveyed to me in your Lordship's despatch of the 30th ultimo, a copy of your despatch to Sir Alexander Malet of the 29th ultimo, on the subject of the state of affairs between Denmark and Germany.

I have, &c.
(Signed) ANDREW BUCHANAN.

Inclosure in No. 153.

Sir A. Buchanan to M. de Bismarck.

Sir, *Berlin, October* 2, 1863.

I HAVE the honour to transmit herewith to your Excellency the copy of a despatch which the Principal Secretary of State of the Queen my Sovereign addressed, on the 29th ultimo, to Her Majesty's Envoy to the German Confederation, on the subject of the present state of affairs between Germany and Denmark and which Earl Russell has instructed me to communicate to the Government of His Prussian Majesty.

I avail, &c.

(Signed) ANDREW BUCHANAN.

No. 154.

Sir A. Buchanan to Earl Russell.—(*Received October* 12.)

(Extract.) *Berlin, October* 10, 1863.

M. DE BISMARCK said that it was impossible for Prussia to take the initiative in recommending the Diet to suspend the Execution, but Baron Sydow was instructed to consider your Lordship's appeal to the Diet as a friendly overture, and to counteract the views of certain States, who were disposed to treat it as an attempt to control the legitimate action of the Confederation.

No. 155.

Sir A. Malet to Earl Russell.—(*Received October* 12.)

My Lord, *Frankfort, October* 9, 1863.

I LEARN that in yesterday's sitting of the Diet a proposition was made by the Oldenburg Envoy in the sense of the observations of the Baden Government, reported to your Lordship in my despatch of the 6th instant, and further to the effect that the Diet should not only adopt those principles, but consider Germany justified in reverting to the stipulations laid down in the Treaty of Berlin, with reference to the Danish Duchies, in case Denmark resists the Execution now ordered to be carried into effect.

No other incident of general interest occurred in this sitting of the Diet.

I have, &c.

(Signed) A. MALET.

No. 156.

Lord Bloomfield to Earl Russell.—(*Received October* 12.)

My Lord, *Vienna, October* 8, 1863.

AT my last interview with Count Rechberg I read to his Excellency your Lordship's despatch of the 30th ultimo. He said that it was not necessary to remind Austria of her Treaty obligations with respect to Denmark. She was aware of the engagements she contracted in 1852, and would abide by them. She desired equally with Her Majesty's Government to respect the integrity and independence of Denmark, but he must observe that the Duchy of Holstein was part of the German Confederation, and that the King of Denmark as Duke of Holstein had not fulfilled his engagements towards that Body, and was therefore responsible to the Confederation for the enactment of Ordinances which were not in conformity with these engagements. The Sovereign of Holstein, his Excellency said, had been called upon to cancel certain Ordinances. He had refused to listen to the repeated communications of the Diet, and hence the threatened Execution—an act which was quite within the attributes of the German Confederation.

Count Rechberg disclaimed the existence of any intention on the part of the German Diet to take a step unauthorized by the laws of the Confederation, but he observed that though Austria and Prussia had signed the Treaty of the 8th of May, 1852, the other States of the Confederation had always refused to become parties to it. Austria was bound to respect it, but the Confederation were in a different position, and this difference increased the difficulties of the situation.

I may observe that Count Rechberg has never attempted to call in question the engagements contracted by this Treaty, and he refuses to admit that the Execution is otherwise than a legal proceeding.

I have, &c.
(Signed) BLOOMFIELD.

No. 157.

Lord Bloomfield to Earl Russell.—(*Received October* 12.)

My Lord, *Vienna, October* 8, 1863.

I HAVE had the honour to receive your Lordship's despatch of the 30th ultimo, inclosing the copy of your despatch to Her Majesty's Minister at Frankfort on the state of affairs between Germany and Denmark. After reading this despatch to Count Rechberg, I gave him a copy of it, and inquired if any decision had been come to respecting the notice that would be taken of this despatch.

His Excellency replied that he was in communication with Prussia on the subject and he then went on to observe that Her Majesty's Government were ever unwilling to render justice to the proceedings of the German Confederation in the Danish question, or to take into account the patience with which they had for so many years been endeavouring to come to an understanding with Denmark respecting the engagements which she contracted in 1851-52. He said the Resolution to carry a Federal Execution into the Duchy of Holstein had been adopted after very long and serious consideration, and the fullest investigation of the whole matter. The proceeding was, he added, in exact conformity with the laws and practice of the Confederation. His Excellency does not admit that the act of the Diet is directed against the Kingdom of Denmark but against the Duchy of Holstein, which Duchy, though forming part of the Danish Monarchy, cannot, he observed, on that account be considered as released from its allegiance to the laws of the Diet, and comes as much under their application as any other German State.

I alluded to the hope expressed in your Lordship's despatch to Sir Alexander Malet, that the Diet might be induced to pause in carrying ont their Resolution, and to submit the question in dispute to the mediation of other Powers, but could obtain no other reply than the assurance that the subject occupied the earnest attention of the Imperial Government, and that he was in communication with the Cabinet of Berlin respecting it.

Since writing the foregoing, I have again seen Count Rechberg, and inquired whether his Excellency had anything further to say in reply to the idea of a mediation as set forth in your Lordship's despatch which had been communicated to the Diet. He replied that he was not yet in possession of the opinion of the Prussian Government on the subject, but that the mediation of a foreign Power between the Confederation and Holstein could not be thought of.

This exclusion of all question of mediation, he observed, was, of course, not applicable to the general affairs of Schleswig.

I have, &c.
(Signed) BLOOMFIELD.

No. 158.

Sir H. Howard to Earl Russell.—(*Received October* 12.)

(Extract.) *Hanover, October* 10, 1863.

M. ZIMMERMANN informed me yesterday that Hanover, in declaring in the sitting of the German Diet of the 8th instant, her readiness to carry out the Resolutions of that Assembly of the 1st instant in respect to a Federal Execution in Holstein, had renewed the reserves she had previously made, one of which your Lordship will remember is, to the effect that if there should be a probability of Denmark resisting the Execution, the Austrian and Prussian troops should enter Holstein simultaneously with the Hanoverian and Saxon 6,000 men designated in the first instance for that service.

M. Zimmermann gave me to understand that the Hanoverian Government were determined not to expose their contingent to the consequences which might result from its entry into Holstein without adequate support. He stated that hitherto they had not made their preparations for the Execution, nor had a General been appointed to command their troops. Baron Münchausen would probably be named their Civil Commissioner.

Baron Münchausen, I should observe, was the head of a Liberal Cabinet during the late King's reign, but has been for many years unemployed. He is a statesman of first rate ability.

According to M. Zimmermann's accounts, the Diet seems resolved not to stay the Execution, and by no means disposed to take the initiative in bringing about a mediation. On the other hand, it would not appear that the Diet is likely to adopt the Grand Duke of Oldenburg's proposal to declare the Agreements of 1851 and 1862 to be abrogated if Denmark should resist the Execution.

No. 159.

Earl Russell to Sir A. Paget.

Sir, *Foreign Office, October* 13, 1863.

I THINK it desirable to place on record the substance of various telegrams which I have recently addressed to you respecting the relations between Denmark and Germany.

My first object was to impress upon the Danish Government that, notwithstanding the vote of the Diet of October 1, the matters in dispute were still susceptible of amicable adjustment, and that with that view the Danish Government should very carefully consider the terms in which its answer on the subject of that vote should be couched, and that it should not forcibly oppose the threatened Federal Execution unless it were extended to Schleswig.

On hearing from you that the Austrian Minister at Copenhagen was personally inclined to think that if the Patent of March 30 were withdrawn by Denmark, the Diet might be induced to suspend the Execution, I desired you to intimate an opinion that Denmark would do well to withdraw the Patent, or at all events to suspend its operation. I said that Denmark might allege that by that withdrawal she showed a conciliatory spirit; and that, although Denmark could scarcely expect, as from your telegram, she seemed to require, that the Diet would be disposed to accede to preliminary conditions in return for the withdrawal of the Patent, yet that Denmark might in another way secure the object she had in view, by declaring that she would not consent to negotiate either in regard to the Constitution of her Monarchy, or in regard to the affairs of Schleswig.

The Danish Government in reply to your communication expressed their anxiety to know whether Her Majesty's Government had reason to believe that if the Patent were withdrawn Execution would be stopped; but the only answer that I could give on this point was that Her Majesty's Government was convinced that it was necessary for Denmark to take some step or other in order to avert Execution; and that I therefore wished to know whether Her Majesty's Government would be authorized in saying that if the Execution were stopped, the Danish Government would thereupon withdraw or suspend the Patent of the 30th of March.

It would seem from your further telegram that the decision of the Danish Government in regard to the withdrawal of the Patent is likely to depend on the course taken by the Rigsraad in regard to the new Constitution for Denmark and Schleswig now under consideration; and that if the vote of that Assembly should be unfavourable to the adoption of the Constitution, the chance of the Danish Government consenting to withdraw the Patent will be much diminished, unless, indeed, Her Majesty's Government should consent to support Denmark against further demands on the part of Germany.

I am, &c.

(Signed) RUSSELL.

No. 160.

Earl Russell to Sir A. Malet.

My Lord, *Foreign Office, October* 14, 1863.

YOU will represent to the President of the Diet that Her Majesty's Government have reason to believe that the answer of Denmark to the Diet will show her readiness to modify the Patent of the 30th of March in the sense of the Decree of the Diet of March 1860; that is to say, to make it provisional until the definite position of Holstein is arranged with Germany. In this way the Holstein States will retain their constitutional privileges as recognized by the Royal Patent. But if this is done Denmark hopes to obtain the postponement of the Federal Execution.

You will represent to the President that a Federal Execution, even supposing it were strictly confined to Holstein, could not take place without an aggravation of the present difficulties.

The application of the revenues of Holstein to the maintenance of the Federal troops employed in Holstein would be a serious loss to the Danish Government. It is most probable that the Danish Government would retort by measures of reprisal and blockade very injurious to German commerce. But those measures would create as much exasperation in Germany as the Federal Execution would do in Denmark. So that the quarrel would become envenomed; claims of compensation on both sides would arise, and fresh difficulties would stand in the way of a pacific arrangement.

Then again, if war should be extended to Schleswig and Jutland, it must be remembered that Austria and Prussia, as well as Great Britain and France, are bound by the Treaty of 1852 to respect the integrity and independence of Denmark. These engagements would of course be observed, but might cause fresh complications at Frankfort.

Her Majesty's Government fully admit the claims of the Confederation in Holstein and Lauenburg, but they believe that if the demands of the Diet were limited to these German Duchies, those demands might be satisfied without Federal Execution, and without incurring the perils which might arise from the adoption of so extreme a measure.

You are instructed to give a copy to the President of the Diet of this despatch.

I am, &c.
(Signed) RUSSELL.

No. 161.

*Earl Russell to Lord Bloomfield.**

My Lord, *Foreign Office, October* 14, 1863.

I TRANSMIT, for your information, a copy of an instruction which I have addressed to Her Majesty's Minister at Frankfort,† relating to the Danish Duchies question.

I am, &c.
(Signed) RUSSELL.

No. 162.

Mr. Barnard to Earl Russell.—(Received October 15.)

My Lord, *Dresden, October* 12, 1863.

THE military arrangements made by the Saxon Government with a view to the probability of their troops being sent to the Duchy of Holstein, are now completed, and everything is in readiness for marching as soon as the order is given by the German Confederation.

It seems that the exact number of men is still to be decided upon, and that Hanover will probably send a somewhat larger contingent, or at least more Cavalry, than Saxony, who will be ready to furnish whatever Cavalry, Infantry, and Artillery may be required.

The general feeling here is that the occupation of Holstein will and must take place, and that the Confederation is bound to act, having already gone so far, and taken measures which are considered to preclude the possibility of now retracting or postponing the proposed Federal Execution. This is also the opinion of the Saxon Government, however much it may regret that such measures have become inevitably necessary.

It is generally believed that, should it be required, the Austrian troops now quartered in Bohemia would be ready to proceed to Holstein.

I have, &c.
(Signed) CHARLES T. BARNARD.

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* A similar despatch was addressed to Sir A. Buchanan.

† No. 160.

No. 163.

*Earl Russell to Sir A. Malet.**

Sir, *Foreign Office, October* 16, 1863.

I TRANSMIT to you herewith a copy of a despatch which on the 27th of May last I addressed to Her Majesty's Ambassadors at Berlin and Vienna,† respecting the question of Federal Execution in Holstein.

You will give a copy of this despatch to the President, for communication to the Diet.

I am, &c.
(signed) RUSSELL.

No. 164.

Sir A. Paget to Earl Russell.—(*Received October* 19.)

(Extract.) *Copenhagen, October* 13, 1863.

IN transmitting to your Lordship in my despatch of the 1st instant a translation of the new Constitution for Denmark and Schleswig, I expressed my regret that the present moment should have been chosen for the introduction of such a measure. Whatever may be its immediate influence, the manner in which it is spoken of by the Danish Press would appear to leave but little doubt as to the real interpretation to be put upon the measure, and although this interpretation is protested against by M. Hall, it is impossible, I fear, not to expect that Germany will consider it as a further aggravation of the wrongs which they impute to the Danish Government.

The "Berlingske Tidende," the organ of the Danish Cabinet, observes in an article published on the 6th instant: "If we succeed in carrying the Constitution and the law of election, we will not only assist our friends in exerting their influence on Germany in a more emphatic manner, but we will also ourselves get an opportunity to support them in a more effective way. For while under the present constitutional relations there cannot be any question of complying with the German demands to repeal the law of the 30th of March, there is not the least objection to that when we have an independent Denmark-Schleswig."

The "Dagblad," in its French number of the same date, observes: "Ce projet ne regarde, comme nous l'avons dit, que les affaires collectives du Royaume proprement dit et du Slesvig, c'est-à-dire, la liste civile, les apanages, la diplomatie, l'armée et la flotte, la dette de l'Etat, les pensions, les douanes, la porte et les domaines des deux parties de la Monarchie. Il laissera subsister intactes les deux Assemblées créées pour les affaires particulières, savoir, le Rigsdag pour le Royaume et les Etats pour le Slesvig.

"Mais, d'un autre côté, le Rigsraad projeté est composé de manière à pouvoir au courant du temps absorber les représentations particulières, quand il aura plu aux territoires d'en émettre eux-mêmes le désir ou d'y donner leur assentiment. Il aura ainsi l'avantage de pouvoir un jour mettre fin au nombre surabondant de Constitutions et de Chambres dont nous avons été encombrés par suite du long conflit avec l'Allemagne."

Such is the tone of the Danish Press, and it would be difficult to be more explicit as to the prospect of ultimately incorporating the Duchy of Schleswig in the Kingdom. The engagement which Denmark entered into with Germany was, as your Lordship is aware, not only that Schleswig should not be incorporated, but that no measures having that tendency should be taken.

This, it is true, is an international engagement, as every engagement respecting Schleswig must be, and redress for an infraction of it could not legally be obtained by force employed in Holstein under the guise of an Execution; but, nevertheless, coming as this proposed arrangement does as a consequence of the Patent of the 30th of March, and being, as it is, the fulfilment of the system on which it is based, namely, the separation of Holstein from the rest of the Monarchy, knowing too, as everybody must, that the present attitude of the Diet is adopted as much, if not even more, in reference to Schleswig as it is to Holstein, it is impossible not to consider this measure, so far from being likely to assist in a solution at the present moment, as asserted by the "Berlingske Tidende," but as being calculated to create still greater difficulties both now and hereafter.

There can be little doubt, indeed, that if it should appear that the Confederation is

* Similar despatches were addressed to Sir H. Howard, Lord A. Loftus, Mr. Gordon, and Mr. Barnard.

† No. 68.

disposed to be satisfied for the present by the simple withdrawal or modification of the Patent, such a result can only be attributed to causes independent of the question at issue, and not to any misconception of the bearing and importance of the measure now proposed by the Danish Government to the consideration of the Rigsraad.

No. 165.

Sir A. Paget to Earl Russell.—(Received October 19.)

(Extract.) *Copenhagen, October 14, 1863.*

IT will be my endeavour in this despatch to give your Lordship as short and correct an account as possible of the conversations I have had with the Danish Minister for Foreign Affairs since the departure of the last messenger on the 1st instant.

Although my opinion as to the efficacy of the withdrawal of the Patent of the 30th of March, as a means of averting the Federal Execution, had been very much modified, as I have had the honour to state to your Lordship in other despatches, by the presentation of the new project of Constitution for Denmark and Schleswig, I nevertheless considered it my duty to endeavour to ascertain from M. Hall whether, in the event of such a step being likely to be attended with success, there was any hope that the Danish Government would be disposed to take it.

I spoke first to M. Hall on the subject in an interview I had with him shortly after the departure of the last messenger. I began by stating to his Excellency the very serious apprehensions which I felt for the safety and future prospects of this country should means not be found of warding off the blow which was now impending over it from the side of Germany. I said that I had no instructions whatever from Her Majesty's Government to make any proposals, but that I felt assured Her Majesty's Government would be happy to use their good offices in the present emergency if they could be useful to the Danish Government.

M. Hall, while admitting the gravity of existing circumstances, spoke nevertheless with considerable confidence as to the future.

He said that Denmark had gone to the utmost lengths to meet the requirements of the Confederation; that a free and independent position had been given to Holstein by the Patent of the 30th of March, and that the Danish Government had moreover declared that they were ready to negotiate with the Diet if there was anything in that Patent which withheld from the Holstein States aught that they had a right to claim. It was evident, therefore, that what the German Confederation was aiming at was not simply the position of Holstein in the Monarchy, but had reference to other parts of His Danish Majesty's dominions which were not within the territory or competency of the Diet, and such demands the Danish Government and the Danish people were firmly determined to resist. His Excellency went on to observe that although a war with Germany would undoubtedly be a misfortune now as at any time, the present moment was perhaps as favourable for Denmark and as unfavourable for Germany as any that would occur; that it was impossible for Denmark to live under a continual menace of hostilities; that Sweden was with her; that the public feeling of England, France, and Europe in general was roused in favour of Denmark at this moment; that there was a more complete comprehension of the rights of the question now than was perhaps to be hoped for at any future time; in short, that there was a combination of circumstances highly advantageous to Denmark at the present time which might very likely never occur again. If, therefore, his Excellency continued, the question must be settled by an appeal to arms, it had better be so now, and he felt convinced, he said, that Denmark and Sweden would not stand alone. Besides, he added, what means is there of avoiding the Execution?

I replied that as the Execution was based more immediately upon the Patent of the 30th of March, I thought that if it could be stopped by the withdrawal of this act it would be unwise of the Danish Government not to withdraw it. I said I was convinced that it was most desirable for the Danish Government to gain time; that none of the circumstances he had mentioned would be likely to change to the disadvantage of Denmark, and that therefore I would advise the Danish Government to consider whether it would not be expedient to adopt the course I had suggested.

M. Hall replied, that certainly if by the simple withdrawal of the Patent, the Execution could be prevented, he thought that it might possibly be done, but that I was much mistaken if I supposed that Germany would be satisfied with this. They would at the same time require some declaration from the Danish Government not only in regard to the position to be given to Holstein instead of the Patent, but respecting that of the other parts of the Monarchy, and this the Danish Government would refuse. M. Hall

repeated this in a subsequent interview, in relating which I shall also have the honour of reporting my reply.

On the 5th instant* I had the honour to receive your Lordship's instructions expressing the hope that the Danish Government would consider carefully their reply to the Diet, and that they would not oppose the Execution by force unless it was extended to Schleswig. Although M. Hall did not give me any positive reply on the latter point, I think there is little doubt that the advice will be followed. It has been equally given by the Governments of France, of Russia, and, as your Lordship knows, of Sweden. The French Government appears to have stated their opinion that the name of Schleswig must eventually be pronounced by the Confederation as being connected with the object of the Execution, and in this case the non-German Powers could interfere. Rumour asserts that the French Government has even gone further, and in advising Denmark to remain quiet till the spring, has held out the prospect of the assistance of France at that time. My French colleague denies this; M. Hall does not admit it.

The observations which I made with reference to the reply to be addressed to Frankfort brought on some discussion respecting the new Constitution for Denmark and Schleswig, in the course of which I expressed my regret that such a measure should have been presented just now. I said I thought it could not fail to produce a very irritating effect in Germany as being the realization of the very policy against which the Diet had protested in the Patent; that as long as the Constitution of 1855 remained in force, although Germany might not be satisfied with the separation of Holstein from the rest of the Monarchy, they were in some degree responsible for it; and there always remained a possibility of Holstein rejoining the common Representation: but that now an entirely new state of things was about to be introduced by a measure which the Danish Press, at all events, did not hesitate to announce was intended to prepare the way for the incorporation of Schleswig. I further remarked that one of the members of the Rigsraad, in speaking on the first reading of the Bill had, I thought, made a very sensible observation to the effect that this was not the proper moment for carrying out such an extensive scheme, and had suggested its postponement till the next Session.

M. Hall proceeded to say that if the Danish Government was to be guided by the advice of friendly Powers in granting to Holstein all that the Diet demanded, in abstaining from resistance if there was a Federal occupation, &c., at least they had the right of proceeding with the Constitutional development and consolidation of the other parts of the Monarchy. He said (and this is perfectly true) that the competency of the Rigsraad is not extended by the proposed measure; that the common affairs are kept, as hitherto, separate from the special affairs, which would continue to be treated by the Rigsdag (Parliament for the Kingdom) on the one hand, and the Diet of Schleswig on the other; that the Government had nothing to do with the articles in the newspapers, and could not be responsible for what was said in them. He disclaimed most emphatically that he intended to incorporate Schleswig, and asserted that as long as the Provincial Assemblies were maintained, and their prerogatives left untouched, it was unjust and inexact to say that a step had been taken towards incorporation. He fully understood the desire of foreign countries, not directly interested, that nothing should be done which might by any possibility have the effect of offending Germany; but the Danish Government had a duty to perform to their country, and that was, to provide for its progress and consolidation on constitutional principles. The Rigsraad, as at present constituted, was very inadequate for this purpose, and the measure introduced by the Government had been framed for the purpose of placing it on a more "liberal and democratic" basis.

On Friday the 9th instant* I again waited on M. Hall, and stated to him, in compliance with your Lordship's instructions, received the evening before, that Her Majesty's Government earnestly recommended the Danish Government to withdraw the Patent of the 30th of March, or to suspend it for further consideration.

M. Hall replied to this communication by saying, as on the first occasion when I spoke to him respecting the withdrawal of the Patent, that even if this step were to be taken it would not be sufficient to prevent the Execution; that at the same time that the Patent was withdrawn the Diet would require a declaration from the Danish Government that they were ready to comply with the further demands set forth in the Decree of the 8th of March, 1860, viz., the establishment of a common Constitution for the whole Monarchy, and this the Danish Government could not comply with. I observed that this was a matter which might form the subject of negotiation; that the immediate object to be gained was the prevention of the Execution; and that as the Patent of March 30 was the principal reason for its being proceeded with now, the Danish Government by withdrawing it would enable the Diet to reconsider its decision. I argued for a considerable

* See No. 159.

time to endeavour to show to M. Hall that even if the Diet was not satisfied with the simple withdrawal of the Patent, it would be in the interest and to the advantage of the Danish Government to adopt this course, as the Diet would then be obliged to declare what they required besides. His Excellency was, however, inflexible on this point, and said that the Patent could only be withdrawn on the express condition (which I hastened to make known to your Lordship) that the negotiations with Germany which should then take place should be strictly limited to the legislative and financial position of Holstein.

I said that of course if his Excellency would give me no other answer, I must send this one, but I considered it the same as if he had given me an absolute refusal.

M. Hall upon this replied that there was one other condition on which the Patent could be withdrawn, viz., that England and France would give to the Danish Government a formal promise to support them against any further demands of Germany. I said I did not think much would be obtained by my forwarding this message; but I suggested as an idea of my own—though in doing so I felt I was taking a great responsibility on myself—that the Danish Government might state to the Diet at the time of withdrawing the Patent, that they would only enter into negotiations with Germany on matters which would embrace the other portions of the Monarchy, on condition that all the Powers who signed the Convention of London should take part in them. His Excellency would not agree to this.

In making known to M. Hall on Saturday afternoon, the 11th instant,* the contents of your Lordship's telegram of that day, I said that I thought it would prove to his Excellency most convincingly the friendly dispositions of your Lordship towards the Danish Government, and that I sincerely trusted he would enable me to inform your Lordship that the Danish Government was prepared to adopt the course you had suggested.

M. Hall desired to have a copy of the telegram; but this I refused. At his Excellency's urgent request however, to enable him, as he said, to make a correct report to his colleagues, I allowed him to write down the words, "but they may declare for their own part that they will not consent to negotiate either upon the Danish Constitution or upon the affairs of Schleswig *with a view to avoid Federal Execution.*" I called his Excellency's particular attention to the words I have underlined. I said that without any observation of mine he, of course, would not understand your Lordship to say that the Danish Government should refuse to negotiate at all about Schleswig; but that I thought it as well, in order to prevent any future misunderstanding, to point out what your Lordship's meaning evidently was, that Denmark might refuse to treat upon Schleswig as a Federal question.

On Sunday afternoon, M. Hall called upon me to make known the opinion of the Cabinet, which, he said, had debated the question for some hours the previous evening. They were unanimously of opinion, in the first place, that no decision could be taken until the King had been consulted. The Patent bore His Majesty's signature, and they could not undertake to subject His Majesty to the "humiliation" of revoking it without having ascertained his pleasure thereupon. The King was in Schleswig, and would not be back for some days. This was the first difficulty in complying with your Lordship's suggestion; but two others of a graver nature remained behind.

According to the Patent, said M. Hall, there was to be, as I was aware, a separate division of the army for Holstein, the expenses connected with which were to be under the control of the Holstein States. If the Patent was revoked, what, he inquired, was to become of this arrangement? Then there was the new Customs law which had passed the Rigsraad, and which depended upon the vote of the Holstein States whether it was to be applied to the Elbe, or to the Eider only. If the Holstein States were deprived of Constitutional privileges, and Holstein again came under the absolute authority of the King, which would be the case by the withdrawal of the Patent, one of two things must happen—either the Customs Law must, by a Royal Decree, be imposed upon Holstein, or it could only have effect to the Eider, in both of which events the Danish Government would be accused by Germany of violating the rights of Holstein. These were real and serious difficulties which it was absolutely necessary to weigh before taking a decision.

I replied that it appeared to me the first difficulty—the King's absence—might be overcome by means of the telegraph; and that the other two objections might easily be set aside, if the Danish Government were willing to do so. With regard to the division of the army, it was well known that this was an arrangement which many of the Government supporters, if not some of the Ministers themselves, thought but of very doubtful advantage, and no great mischief would therefore occur if it was allowed to drop; that with respect to the treatment of the Customs Law, the Danish Government was well aware, without being again reminded of the fact, that it was not on account of the Consti-

* See No. 159.

tutional privileges which the Patent of the 30th of March conferred on the Holstein States, that the Diet objected to it, but because of its being an act of a definitive character which separated Holstein from the other parts of the Monarchy, and precluded the Duchy from the prospect of being included in a common Constitution, which was the basis agreed upon in the negotiations of 1851-52. What I should suggest, therefore, would be that the Danish Government should allow the Estates of Holstein to retain their Constitutional rights, should withdraw the Patent, as far as its definitive character was concerned, and should announce to the Diet in doing so their readiness to negotiate as to Holstein's future position.

M. Hall replied that this would only be a modification, and not an absolute withdrawal of the Patent, which had been demanded. I asked his Excellency if he would adopt my suggestion, to which he replied that he could give me no other answer than that no decision could be taken until the King's return. He expressed at the same time anxiety to know whether Her Majesty's Government had received any information from Germany which led them to believe that if the Patent was withdrawn the Execution would be stopped.

Yesterday morning the 13th instant I went early to M. Hall, and in execution of your Lordship's instructions of the evening before,* I asked him whether if the Execution was stopped, the Patent would be withdrawn; to which he replied that he could only give me the same answer he had done on Sunday, viz., that any decision must await the return of the King.

I answered that I must say that I thought your Lordship had a fair right to complain of the indisposition which was evinced by his Excellency to aid you in your endeavour to preserve this country from the dangers which are threatening it, and I could not but be struck by the difference of tone in which his Excellency spoke of the possibility of withdrawing the Patent now to the one he had employed when I had first mentioned that suggestion to him. The only doubt he then appeared to entertain was, as to the efficacity of the course recommended; that gradually he had raised other difficulties and objections; and now he could not even tell me that if the execution could be averted by taking this step, he would be prepared to adopt it.

M. Hall replied that it was impossible for him to take upon himself the responsibility of giving a decision upon a matter of this kind, without conferring previously with the King; that His Majesty was opposed to any further concession whatever, and that he knew His Majesty would with difficulty be brought to make one.

After much further conversation with M. Hall, in which I made use of every argument to induce his Excellency to adopt a conciliatory course, and in which I warned him of the danger of rejecting the friendly counsels now offered by Her Majesty's Government, by representing that however much public feeling might be in favour of Denmark now, because there was a general impression that she was the aggrieved Power, this feeling would undergo a great change if it was proved by official documents that the Danish Government had rejected every compromise, and had appeared rather to provoke hostilities than to seek the means of preserving peace. I at last obtained the result made known in my telegram of yesterday; that although in the absence of the King, it was impossible for his Excellency to say anything positive respecting the withdrawal of the Patent, he promised me that if it was not actually withdrawn, the Danish Government would state in the reply to the Diet that they did not absolutely adhere to the Patent in its present form, and would be willing to modify it in the sense of the Decree of the 8th of March, 1860, that is to say, that its arrangements should be only provisional until the definitive position of Holstein had been settled with Germany.

No. 166.

Sir A. Paget to Earl Russell.—(*Received October* 19.)

My Lord, *Copenhagen, October* 15, 1863.

IN order to prevent the possibility of any future misunderstanding, I have read to M. Hall to-day my telegram of the 13th instant, which says that his Excellency had promised me that the answer of the Danish Government to the Diet would show their readiness to modify the Patent of March 30 in the sense of the Decree of the Diet of March 1860, viz., that it should be deprived of its definitive character, and that the Holstein States should retain the constitutional rights they now possess until the final position of Holstein was agreed upon with Germany.

* See No. 159.

His Excellency informed me that I had correctly reported his meaning.

I cannot but be of opinion that this arrangement, in so far as the Patent is concerned, must be more satisfactory to the Diet than its simple withdrawal, for it would be preposterous to suppose that Germany could desire that Holstein should again fall under the direct and absolute authority of the King, with only a consultative voice allowed to the States, which was the case from September 1859 to the issuing of the Patent; and such nevertheless would be the result of the withdrawal of the Patent, unless the Danish Government agreed at the same time to admit Holstein into a common representation of the Monarchy, which now at all events is not to be looked for.

M. Hall informed me that the King would probably return to Copenhagen to-day or to-morrow, and that the answer to Frankfort would then be prepared and submitted to His Majesty's approval: It has to be delivered to the Diet on the 27th instant, and I understand from M. Hall to-day that the second reading of the new Constitution for Schleswig and Denmark is not likely to come on for discussion till the 25th.

I confess that I was under the impression, which was shared by those who are best informed of the views of the Danish Government, that their object was to press on the discussion of the new Bill so that it would become law before their answer to the Diet was sent; but I am happy to record this change in their intentions, which cannot but facilitate, I should imagine, the acceptance of the modification of the Patent as satisfactory on the part of Germany.

I have, &c.
(Signed) A. PAGET.

No. 167.

Mr. Ward to Earl Russell.—(*Received October* 19.)

My Lord, *Hamburgh, October* 13, 1863.

HAVING yesterday had an interview with Mr. Syndic Merck, I took the opportunity of communicating to him the objection entertained by Her Majesty's Government to the Federal Execution being carried out in Holstein, and I read to him the despatch which I had the honour to receive from your Lordship dated the 7th instant.

The Syndic said that, as your Lordship had very justly observed, the Hanse Towns had the strongest motives to desire the conservation of peace, but that he feared it was too late for them to attempt to exercise any influence to stop the Federal Execution, as it was a thing formally resolved on by the Assembly of the Diet. He did not think the Federal Diet would be likely to exceed its legal powers in this matter; and he still hoped that Her Majesty's Government would not permit Denmark to treat the proceeding as a *casus belli*. The Syndic added that, as he had been informed, Russia and France had already advised Denmark not to offer any resistance to the Federal Decree.

I have, &c.
(Signed) J. WARD.

No. 168.

Lord Bloomfield to Earl Russell.—(*Received October* 19.)

My Lord, *Vienna, October* 15, 1863.

IN answer to an inquiry which I addressed to Count Rechberg to-day, whether there was anything new on the Danish question, his Excellency replied that the Report of the Commission of the German Diet charged to prepare an answer to the late communication of Her Majesty's Government would probably be known this day week; that it was sought to draw up this answer in the most conciliatory form, but he did not give me to understand that there was any prospect of the Execution being postponed.

He maintained as strongly as ever that the European Powers had no right to interfere with the course which Germany was pursuing in regard to Holstein, but in regard to Schleswig he was ready to admit that the affair would easily become an international one.

I have, &c.
(Signed) BLOOMFIELD.

No. 169.

Sir A. Buchanan to Earl Russell.—(*Received October* 19.)

(Extract.) *Berlin, October* 17, 1863.

AT an interview with M. de Bismarck on the 14th instant, his Excellency said that though he considered the Confederation would be justified were they to declare war to Denmark to oblige her to fulfil the engagements which she has contracted to Germany as to the position of the Duchies in the Danish Monarchy, he agreed with your Lordship that the Diet have no right to seek redress for the Duchies by a Federal Execution, with respect to that part of their grievances.

He said that the Diet were anxious that an immediate decision should be adopted as to the answer to be given to your Lordship's despatch of the 29th ultimo, and M. de Sydow was pressing him for instructions, but he had declined giving them until the matter had been calmly considered by the Government His Excellency observed, however, that he could not well postpone forwarding instructions to the Prussian Plenipotentiary at Frankfort beyond a week, but he would at all events endeavour to soften down M. Von der Pfordten's Report, and introduce an opening into it for the acceptance of a mediation on the international question, if such a mediation, having been previously accepted by Denmark, should be offered to the Diet.

He hoped the Danish Government would withdraw the Edict of March 30 as a preliminary to new negotiations with the Diet as to Holstein and Lauenburg, and give the Diet such satisfaction with respect to these Duchies as would enable Prussia to advocate the abandonment of the Execution.

In the meanwhile, however, Denmark ought in her answer to the Diet to separate clearly and distinctly the claims of Holstein as a German Duchy from the claims which she may have, under the arrangements of 1851-52, to exercise a certain degree of control over the common affairs of the Danish Monarchy.

With respect to the former, it is important, he said, that Denmark should acknowledge the supreme authority of the Diet and intimate the intention of the Duke of Holstein to submit to the Execution if the Diet should consider it necessary to carry it out in order to secure to the people of the Duchy the full enjoyment of their rights.

I asked if he would allow me to make a short minute of what I understood he was prepared to do to promote an arrangement of the question, and after he had made some changes in what I had written he authorized me to communicate to your Lordship the minute of which I inclose a copy, but he reserved a right to revise it; and he has since stated to me that he understands by the words "is ready" that Denmark will immediately place Holstein and Lauenburg in as independent a position as the Duchy of Luxembourg, so that there can be no pretext, according to his opinions, for a Federal Execution; and as I observed that Denmark might object that after she had complied with all that Germany could justly require from her with respect to Holstein, she would still have to resist the pretensions of the Confederation with respect to Schleswig, he replied that these pretensions, when freed from any connection with Holstein, could only be treated internationally.

Inclosure in No. 169.

Minute of Conversation between M. de Bismarck and Sir A. Buchanan:

IF Denmark would declare to the Diet that she is ready to give them satisfaction as to the claim of Holstein and Lauenburg to control their own legislation and the expenditure of all moneys raised in the Duchies, to accept the mediation of Great Britain for the arrangement of the international question, Prussia will endeavour to prevent the Execution.

No. 170.

Sir A. Buchanan to Earl Russell.—(*Received October* 19.)

(Extract.) *Berlin, October* 17, 1863.

M. DE BISMARCK was only able to receive me this morning, when I read to his Excellency, and gave him a copy of, your Lordship's despatch to Sir Alexander Malet of the 14th instant.

His Excellency said he greatly regretted that such a communication should have been made to the Frankfort Diet, as he felt assured the proposal which it contained would not be considered satisfactory; for if accepted, it would place Denmark in a position to continue to trifle with the Confederation as she had done during the last twelve years. I replied that it was to be presumed from the late proceedings at Frankfort that the Execution would only take place if the Edict of the 30th of March were not revoked, and that the Diet ought surely to be satisfied if that Decree were merely maintained provisionally until a definite arrangement of the affairs of Holstein could be effected, in order to prevent the Duchy in the meantime from becoming subject to the absolute authority of the Sovereign; and I said that at all events Her Majesty's Government appeared to have obtained all that his Excellency had given me reason to believe, in my communications with him previous to the 14th instant, would be necessary to prevent the Execution. He maintained, however, that the satisfaction offered would not be sufficient, and would only strengthen the hands of those members of the Diet who consider that no acceptable result is to be expected from the mediation of Her Majesty's Government.

With respect to the latter part of your Lordship's despatch, he said that if the question should unfortunately end in war between Germany and Denmark, the engagements contracted by Prussia and Austria in 1852 could in no way prevent them from taking a part in that war, to enforce the formal international engagements into which Denmark had entered in 1851 and 1852 with the German Confederation.

He said if that basis were accepted by Denmark, the principal difficulties of the question would be removed, as it would then be possible to separate entirely that portion of it which was subject to Federal jurisdiction from that which has reference to the negotiations of 1851-52.

No. 171.

Sir A. Malet to Earl Russell.—(Received October 19.)

My Lord, *Frankfort, October* 17, 1863.

YOUR Lordship's despatch of the 14th instant was delivered to me late on Thursday night by messenger Bridge.

I had the honour of receiving your Lordship's telegraphic directions to read and give a copy of your despatch to the President on Friday evening, and this morning have executed that instruction by reading and placing a copy in the hands of his Excellency Baron de Kubeck, with the note a copy of which is inclosed herewith.

I have, &c.

(Signed) A. MALET.

Inclosure in No. 171.

Sir A. Malet to Baron Kubeck.

Frankfort, October 16, 1863.

THE Undersigned has the honour, in conformity with the instructions of his Government, to place in the hands of his Excelleney Baron de Kubeck, presiding the high Diet of the Germanic Confederation, copy of the accompanying despatch from Earl Russell of the 14th instant addressed to the Undersigned relative to the question of the Danish Duchies.

In requesting his Excellency to lay this communication before the high Diet, the Undersigned, &c.

(Signed) A. MALET.

No. 172.

Sir H. Howard to Earl Russell.—(Received October 19.)

My Lord, *Hanover, October* 17, 1863.

ON the receipt of a copy of the instruction which your Lordship addressed to Sir Alexander Malet in your despatch of the 29th ultimo on the subject of the Danish Duchies' question, I called upon M. Zimmermann, but not finding him at home, I wrote a few lines

to him stating that having received that copy for my information, I could not help repeating to him the wish I had previously expressed, that the Hanoverian Government should instruct their Envoy at Frankfort to use his influence, in order that the Committee, to which your Lordship's despatch had been referred, and of which he is a member, should recommend to the Diet to adopt your Lordship's advice, viz., to pause and to submit the question in dispute between Germany and Denmark to a mediation.

I saw M. Zimmermann yesterday. He stated that it had not been in his power to comply with the wish I had conveyed to him. He added that there did not appear to be any disposition on the part of the Diet to follow your Lordship's advice, but, on the contrary, a determination prevailed to carry out the Execution. He said the impression was gaining ground that Denmark would not offer any resistance to the Execution in Holstein, and thus the chances of a conflict diminished. Hanover did not depart from her conditions, but if Denmark did not resist, the 6,000 Hanoverian and Saxon troops would suffice for the occupation of Holstein.

M. Zimmermann denied that any differences had arisen, as had been generally reported, between Hanover and Saxony in respect to the appointment of the Commander-in-chief of the Corps of Execution, and remarked that according to usage and precedent such an appointment would belong to Saxony. The report was that Saxony had claimed it, whilst Hanover had demanded it for herself.

M. Zimmermann observed that some time must elapse before the Execution actually takes place. The delay granted to Denmark by the Diet, within which she must comply with the Resolutions of the 1st instant, will not expire till towards the end of this month. A resolution will then have to be taken by the Diet, which will require, probably, a week. A further week will then be consumed before the summons to be sent by Hanover and Saxony to Copenhagen reaches its destination, and then three weeks more will be allowed to Denmark for a final decision before the Federal troops actually enter Holstein.

Hanover, as your Lordship is aware, is to furnish 3,000 men. The troops which are to form this Contingent are already designated. They will consist of four battalions of infantry, three squadrons of cavalry, two batteries of artillery of four guns (rifled 6-pounders) each, and a detachment of engineers. Their Commander has not yet been named.

On the other hand, M. Zimmermann informs me that Baron Münchausen has accepted the post of Civil Commissioner.

I have, &c.
(Signed) HENRY F. HOWARD.

No. 173.

Earl Russell to Sir A. Paget.

My Lord, *Foreign Office, October* 20, 1863.

I HAVE received and laid before the Queen your despatches to the 15th instant, and I have the satisfaction to acquaint you that your proceedings therein described in execution of my instructions in regard to the Schleswig-Holstein question are entirely approved.

In the opinion of Her Majesty's Government Denmark might announce to the Diet that she was prepared to satisfy the requirements of the Confederation, so far as by yielding to the claims of the Duchies of Holstein and Lauenburg to control their own legislation, and also the expenditure of all moneys raised in the Duchies, and, further, that she was ready to revoke or to suspend the Patent of the 30th of March last.

The Danish Government might say that in return for these concessions they would expect that the Confederation should abandon the proposed Federal Execution.

But besides the question of Federal Execution, there is an international question on which Denmark and Germany are at issue; and with reference to this the Danish Government should express its readiness to refer to the mediation of such Powers as might be agreed upon any question between herself and the Confederation possessing an international character.

It is, however, essential to keep the questions in regard to the Duchies and those of an international character quite distinct in any discussions which may be had with Germany on matters in dispute between the two countries.

I am, &c.
(Signed) RUSSELL.

No. 174.

Mr. Barnard to Earl Russell.—(Received October 21.)

My Lord, *Dresden, October 19, 1863.*

I HAVE the honour to acknowledge the receipt of a copy of a despatch addressed to Her Majesty's Minister at Frankfort on the subject of the Danish Duchies question.

When I had last the honour of addressing your Lordship in my despatch of October 12, I mentioned that the Saxon Government considered the pending Execution to be unavoidable, and I have since heard M. de Beust, in a conversation which was held on this subject, declare that the Confederation must and would do its duty; that the question is purely German, and not European, the Treaties of 1851 and 1852 never having been recognized by the Diet; that everything had been done in the hope of inducing Denmark to change its views, but without success; that there is no alternative, and therefore the honour of Germany makes it incumbent on the Diet to proceed in its fixed determination, and that he felt confident that no German State was at all inclined to entertain a contrary opinion.

I have, &c.
(Signed) CHARLES T. BARNARD.

No. 175.

l Russell to Sir A. Paget.

Sir, *Foreign Office, October 21, 1863.*

I APPROVE your language to M. Hall on the subject of the Danish Duchies question, as detailed in your despatch of the 14th instant.

I am, &c.
(Signed) RUSSELL.

No. 176.

Earl Russell to Sir A. Paget.

Sir, *Foreign Office, October 21, 1863.*

WITH reference to the opinions of the Danish Press, quoted in your despatch of the 13th instant, on the proposed Constitution for Denmark and Schleswig, I have to observe that the question raised by the Danish press on the relations of Denmark and Schleswig is entirely an international question, and cannot form the subject of a Federal Execution.

I am, &c.
(Signed) RUSSELL.

No. 177.

Earl Russell to Sir A. Buchanan:

Sir, *Foreign Office, October 21, 1863.*

HER Majesty's Government have not received from Copenhagen any such intelligence as that which appears to have reached M. Bismarck, in regard to the intention of the Danish Government to declare to the Diet, in reply to the late summons addressed to them by that Body, that they would look upon Federal Execution in Holstein as the commencement of hostilities between the Confederation and Denmark.

But even supposing any such declaration were to be made by Denmark, it would not be inconsistent with her previous declaration that she would look upon a Federal Execution as an act of bearing an international character.

I am, &c.
(Signed) RUSSELL.

No. 178.

Earl Russell to Sir A. Malet.

Sir, *Foreign Office, October* 21, 1863.

IT seems to Her Majesty's Government that if the German Diet and the King of Denmark are desirous of concluding in a fair and impartial manner the long series of negotiations and disputes which have taken place between them, there ought to be little difficulty in doing so.

For this purpose, as it appears to Her Majesty's Government, two principles ought to be laid down as the basis of agreement:—

The one, that all matters in regard to finance and to legislation relating to the Duchies of Holstein and Lauenburg, and arising therein, should be settled in conformity to the rules of the German Confederation.

The other, that all matters of international difference should be referred to the mediation (not to the arbitration) of friendly non-German Powers, with a view to a pacific and final settlement.

You will not, however, communicate these views to the President of the Diet without special instructions to do so.

I am, &c.
(Signed) RUSSELL.

No. 179.

Earl Russell to Sir A. Malet.

Sir, *Foreign Office, October* 21, 1863.

WITH reference to my previous despatch of this day's date, beginning "It seems to Her Majesty's Government," you are hereby instructed to read that despatch to the President of the Diet, to give him a copy of it, and to request him to communicate it to the Diet.

I am, &c.
(Signed) RUSSELL.

No. 180.

Sir H. Howard to Earl Russell.—(Received October 22.)

My Lord, *Hanover, October* 19, 1863.

I HAD yesterday the honour of receiving your Lordship's despatch of the 16th instant on the question of Federal Execution in Holstein.

In pursuance of the instructions contained therein I waited the same evening upon M. Zimmermann, and delivered to him a copy of the despatch which your Lordship addressed on the 27th of May last to Her Majesty's Ambassadors at Vienna and Berlin.

In doing so I observed to M. Zimmermann that this despatch, in addition to the instructions which your Lordship had recently addressed to Her Majesty's Minister at Frankfort for communication to the President of the Diet, would complete his knowledge of the views of Her Majesty's Government on the subject, and would show him that your Lordship had given the Austrian and Prussian Governments timely warning that Her Majesty's Government considered the affairs of Schleswig to be matters of international concern, and beyond the competency of the German Diet.

Having in the course of my observations referred to your Lordship's despatch of the 14th instant to Her Majesty's Minister at Frankfort, and in which you state the modification which the Danish Government are ready to make in the Patent of the 30th March last, with a view to obtaining a postponement of the Execution, and set forth the perils which might arise from the adoption by the Diet of so extreme a measure, I found that M. Zimmermann had not yet received a copy of it, and I accordingly read it to him, expressing at the same time my hope that the Hanoverian Government would see in the concession tendered by Denmark a sufficient motive for recommending the staying of the Execution.

M. Zimmermann replied that he was far from being blind to the dangers which might result from an Execution as represented by your Lordship, and would be glad could it be

dispensed with; but what Denmark now offered was but a tenth of what the Diet demanded, and the Hanoverian Government could not, without bringing discredit upon themselves, recommend at the Diet a suspension of the Execution on such grounds. He had expected that the Danish Government would have offered to withdraw the Patent altogether, and would have proposed some general basis of arrangements. The complete withdrawal of the Patent was, in his opinion, the smallest concession which could be accepted by the Diet.

I pointed out to M. Zimmerman how exaggerated the demands of the Diet were, and what an interference they constituted in the settlement of the Constitution of the Danish Monarchy. I was glad to perceive at least that he did not approve of the manner in which the affairs of Schleswig had been introduced into the Report of the Committee of the Diet, to which your Lordship refers in your despatch of the 29th ultimo to Sir Alexander Malet.

At M. Zimmermann's request I afterwards sent him a copy of your Lordship's despatch of the 14th instant to the same Minister.

This morning I proceeded to Brunswick and placed into the hands of M. de Campe, the Minister for Foreign Affairs, a copy of your Lordship's despatch of the 27th of May last to Her Majesty's Ambassadors at Vienna and Berlin. I afterwards likewise read to his Excellency your Lordship's above-mentioned despatch to Her Majesty's Minister at Frankfort, with which he was not yet acquainted, and conveyed my hope that the vote of Brunswick would be given in favour of a suspension of the Execution.

M. de Campe replied that he recognized the dangers which might arise from an Execution, and was desirous of seeing the dispute settled in a pacific manner; but that the voice of Brunswick had but little weight, and that on questions in regard to which the two great German Powers were agreed, as they were on this one, the smaller Powers could not but follow their lead. Indeed, he observed, he could not at that moment say whether it was Brunswick or Nassau which would dispose, in this instance, of the collective vote which the two Duchies had.

M. de Campe did not enter into the subject matter of your Lordship's despatches.

I yesterday transmitted to M. de Rössing, the Oldenburg Minister for Foreign Affairs, a copy of your Lordship's before-mentioned instruction to Her Majesty's Ambassadors at Vienna and Berlin, in the covering note of which the annexed is a copy.

The manner in which the Government of the Grand Duke have hitherto constantly sought to aggravate the difficulties of the question, and urge the adoption by the Diet of extreme measures against Denmark, requires no comment on my part.

I have, &c.

(Signed) HENRY F. HOWARD

Inclosure in No. 180.

Sir H. Howard to M. de Rössing.

M. le Ministre, *Hanover, October* 18, 1863.

IN compliance with Earl Russell's instructions I have the honour to communicate herewith to your Excellency a copy of a despatch which on the 27th of May last his Lordship addressed to Her Majesty's Ambassadors at Vienna and Berlin, respecting the question of Federal Execution in Holstein.

I avail, &c.

(Signed) HENRY F. HOWARD.

No. 181.

Sir A. Buchanan to Earl Russell.—(Received October 22.)

(Extract.) *Berlin, October* 20, 1863.

IN my interview with M. de Bismarck on the morning of the 19th instant, he expressed strong objections to the provisional maintenance of the Edict, and observed that he understood "being prepared to give satisfaction to the Diet," to mean that the Danish Government would prove their sincerity by some immediate action in fulfilment of the engagement he required from them. He stated distinctly that the revocation of the Edict would be indispensable.

I said that I regretted extremely his now making this condition, as I had understood

the Minute of our conversation of the 14th instant * according to the literal meaning of the words, and that I had no doubt your Lordship had done the same; and that the Danish Government, to whom it had been communicated, would form the same opinion of it. He replied that the Diet would, however, demand the revocation of the Edict as implied in the Danish declaration as the first step towards its future fulfilment, and it would, therefore, be more dignified for the King of Denmark to recall it at once.

He spoke with much asperity of the past, and the impossibility of the Diet exposing itself to ridicule by staying the Execution in the purely Federal part of the question until Denmark had made some concession which would manifest her acknowledgment of Holstein's right to claim entire financial and legislative independence. But if this be done, he said, it will be impossible for the Diet to proceed to an Execution.

I called upon him again yesterday, and finding him firm in his opinion as to the necessity of the revocation of the Edict, I said that if I understood his views as to the manner in which the international question might be eventually arranged, the provisional maintenance of the Edict modified in the sense indicated in your Lordship's despatch to Sir Alexander Malet of the 14th instant, would be more expedient with a view to such a settlement than its simple revocation, as it would afford a basis for future negotiation; and I asked whether I might send your Lordship a telegram stating that if the modification of the Edict would express clearly that no part of the revenues of Holstein and Lauenburg could be applied to the common expenditure of the Monarchy without the consent of the States of these Duchies, until a final arrangement is made on the basis of the Minute of the 14th instant, and if Denmark would propose the mediation of Her Majesty's Government on the international question, Her Majesty's Government might inform the Danish Government confidentially that the Prussian Government believe the Execution might be prevented, and would endeavour to do so.

In the course of the afternoon, M. de Thile called upon me by M. de Bismarck's instructions, with a telegram just received from the Prussian Minister at Copenhagen, reporting that the Danish Government had decided to declare in their answer to the Diet that they would consider the Execution as a commencement of hostilities; and his Excellency had further desired M. de Thile to state to me that this report would produce a most unfavourable effect at Frankfort, and would prevent Prussia from opposing the Execution, or taking any measures for promoting the favourable consideration of the proposal submitted to the Diet in your Lordship's despatch to Sir Alexander Malet of the 14th instant.

A report from M. de Sydow in reply to M. de Bismarck's despatch is expected here the day after to-morrow, but in the present serious state of things I have thought it advisable to forward this despatch to Calais by the messenger Blackwood, who can return in time for his duty here on Saturday next.

No. 182.

Earl Russell to Sir A. Buchanan.

Sir, *Foreign Office, October* 22, 1863.

I HAVE received this morning, and will lay before the Queen, your Excellency's despatch of the 20th instant.

Her Majesty's Government entirely agree with M. Bismarck in considering that the consent of the Diet of Holstein is required to authorize the Danish Government to apply to any purpose whatever any portion of the revenues of that province.

But the message which the Diet at Frankfort has sent to Copenhagen is not restricted to that point. That message threatens Denmark with Federal Execution on grounds affecting the general Constitution of the Danish Monarchy.

The question of the general Constitution of Denmark is, however, a matter to be treated of with the King of Denmark in his Royal capacity, and not merely in his character of Duke of Holstein.

The Duke of Holstein may reasonably be required to give way in regard to the revenue of Holstein, but the Germanic Diet has no warrant for its demand that the King of Denmark should yield to its dictation in regard to the Constitution of the Danish Monarchy in general.

The two questions are widely distinct, and ought to be so treated by the Confederation; and if, as it would appear, the Prussian Government recognizes this distinction, it is not too much to expect of the Cabinet of Berlin that it should support the efforts of

* See Inclosure in No. 169.

Her Majesty's Government for inducing the Diet at Frankfort to take a more moderate and reasonable line of conduct than that which they have unfortunately up to the present time pursued in these matters.

I am, &c.
(Signed) RUSSELL.

No. 183.

Earl Russell to Sir A. Paget.

Sir, *Foreign Office, October* 22, 1863.

THE accounts which Her Majesty's Government have received from Her Majesty's Ambassador at Berlin tend to show that the report which had reached that capital of the intention of the Danish Government to declare, in reply to the summons of the Diet, that it will look upon Federal Execution in Holstein as the commencement of hostilities on the part of Germany, has produced a most unfavourable effect.

It seems to Her Majesty's Government that Denmark, with a due regard for her own interest, should at once withdraw the Patent of the 30th of March, and rest her opposition to Federal Execution on the ground that it involves interference in matters relating to the constitution of the Danish Monarchy and in the affairs of Schleswig.

If Denmark were to withdraw the Patent altogether and were to declare that the whole financial means of Holstein should be placed under the control of the Diet of that Duchy, she would then be in a better position to maintain that all other questions between her and Germany were matters of negotiation in regard to which she was prepared to accept the mediation of one or more impartial Powers.

If some such course as this should not be adopted by Denmark, it is hardly likely that the Diet of Frankfort will refrain from carrying out the threatened Execution; but that measure will exhaust the revenues of Holstein, and consequently materially affect the general interests of the Danish Monarchy.

I am, &c.
(Signed) RUSSELL.

No. 184.

Sir A. Buchanan to Earl Russell.—(Received October 24.)

My Lord, *Berlin, October* 22, 1863.

I SAW M. de Bismarck on the evening of the 20th instant, after forwarding to your Lordship my despatch of that date; and I pointed out to him the great inconvenience which the Danish Government would suffer if the German Diet should decline their proposal that the Edict of March should be maintained as a provisional arrangement, unless it should be so modified as to deprive the Danish Government of Holstein's share of the Normal Budget, and of the funds contributed by that Duchy towards the payment of the interest of the National Debt.

His Excellency said in reply, that as the maintenance of a Normal Budget, which had never received the sanction of the States of Holstein, was one of the principal points in dispute, he did not see how any arrangement for preventing the necessity of an Execution could be come to, which did not accord to the States of Holstein and Lauenburg full legislative authority over the finances of the Duchies.

I have, &c.
(Signed) ANDREW BUCHANAN.

No. 185.

Sir A. Paget to Earl Russell.—(Received October 26.)

My Lord, *Copenhagen, October* 22, 1863.

I HAVE the honour to transmit to your Lordship herewith a copy of a Memorandum which was delivered to me on the 20th instant by M. Hall, and which contains the definitive resolution of the Danish Government relative to the answer which is to be returned to the vote for an Execution in Holstein agreed to by the Diet on the 1st of this month.

The Danish Government declares that they are prepared to continue to the Holstein States the deliberative vote which was granted to them by the Patent of the 30th of March (that is to say, that Holstein is to continue to possess the power of controlling its own legislature and expenditure), under the express condition, however, that their vote is to have no influence over the legislature or expenditure of the other parts of the Monarchy, and that in the event of disagreement between the Rigsraad and the Estates of Holstein on any law on common affairs, the matter to which the law refers shall cease to be common, and the law will have effect in that part of the Monarchy only whose Assembly has adopted it. Save and except the principle here laid down, the Danish Government declares that it is ready to negotiate with the Diet upon the other provisions of the Patent, which it consequently pronounces to be "provisional" in its character.

This declaration differs but slightly from the last, which was addressed by the Danish Government to Frankfort, and is little calculated, I fear, to secure the object which Her Majesty's Government had in view in recommending the withdrawal of the Patent.

As M. Hall's Memorandum does not appear to me to describe quite correctly the suggestion made by Her Majesty's Government relative to accepting mediation, I have thought it right to place upon record in a Memorandum which I have given to M. Hall to-day, and of which I inclose a copy, what I conceived to be the intention of Her Majesty's Government, and what actually took place on this subject.

M. Hall said that by announcing as he had done in the Memorandum the adhesion at once of the Danish Government to a mediation of the Powers who signed the Treaty of London, he thought he had fulfilled the wishes of Her Majesty's Government, viz., to enable them to hold this out to the Diet as an inducement, with modifications intended to be made in the Patent, to suspend the Execution.

In the communication of the Danish Government to the Diet no allusion to mediation will be made.

I do not think it necessary to trouble your Lordship with the details of my interviews with M. Hall since I last had the honour of addressing you.

It only remains for me to express the hope that my conduct may be approved by Her Majesty's Government.

I have, &c.

(Signed) A. PAGET.

Inclosure 1 in No. 185.

Memorandum delivered by M. Hall to Sir A. Paget, October 20, 1863.

NOUS déclarerons à Francfort que le Roi a accordé aux Etats Holsteinois le vote délibératif pour toutes les lois qui seront mises à exécution dans le Holstein pour les affaires communes. L'Ordonnance du 30 Mars a formulé ce principe, en ajoutant la conséquence qui en découle nécessairement, savoir, que la communauté entre le Holstein et la Monarchie cessera là où un désaccord entre les Etats et le Rigsraad rendrait une telle communauté impossible. En maintenant et en énonçant encore une fois cette concession, le Roi défère à la demande de la Diète. Pour ce qui est des autres dispositions de l'Ordonnance du 30 Mars, le Gouvernement est prêt à négocier avec la Confédération sur les modifications à faire dans cet acte, qui n'aura par conséquent qu'un caractère provisoire.

Mais en donnant cette déclaration, le Gouvernement tient à ce qu'aucun malentendu n'existe chez les Puissances signataires du Traité de Londres sur le sens de cette déclaration.

C'est une simple application du principe posé que le nouveau Tarif de Douanes émané déjà pour le Royaume et le Slesvig ne pourra être mis à exécution que dans ces provinces seules, si les Etats Holsteinois refusent de l'accepter pour le Holstein.

Ensuite, les dépenses pour l'armée devant être votées par les deux représentations, chacune pour sa part, celles des troupes Holsteinoises, formant le contingent Fédéral, doivent rester séparées de celles qui concernent les troupes Dano-Slesvigoises. Pour servir de base au calcul de ces dernières dépenses, un tableau du personnel des troupes Dano-Slesvigoises a été présenté au Rigsraad sous le titre d'un plan provisoire pour cette partie de l'armée ; ce projet est indispensable pour le vote du Rigsraad sur le Budget Militaire. Enfin, la réforme du Rigsraad proposée par le Gouvernement, ne touche en rien le Holstein : seulement parmi les dispositions intérimaires il en est une qui repète le principe énoncé plus haut sur les conséquences d'un désaccord entre les deux représentations.

Le Gouvernement Anglais nous a ensuite demandé si nous serions disposés à accepter

une médiation dès que, par suite de la déclaration susmentionnée, l'Exécution Fédérale aurait été définitivement écartée. Nous exprimons dès à présent notre adhésion à une médiation entreprise par les Puissances signataires du Traité de Londres, en nous réservant de nous énoncer sur les bases d'une telle négociation lorsque nous serons invités à aborder cette question préparatoire.

(Translation.)

WE will declare at Frankfort that the King has granted to the Holstein States a deliberative vote on all the laws which are put in execution in Holstein for common affairs. The Ordinance of March 30 has put forward this principle, adding the consequence which naturally results from it, viz., that the community between Holstein and the Monarchy will cease in any case in which a disagreement between the States and the Rigsraad may render such a community impossible. By maintaining and enunciating once more this concession, the King defers to the demand of the Diet. With regard to the other provisions of the Ordinance of March 30, the Government is ready to negotiate with the Confederation on the modifications to be made in that document, which will, consequently, only have a provisional character.

But in giving this declaration the Government is anxious that no misunderstanding should exist among the Powers signatary of the Treaty of London, with regard to the sense of this declaration.

It is a simple application of the principle laid down that the Customs Tariff, already promulgated for the Kingdom and Schleswig, can be put into execution only in those provinces if the States of Holstein refuse to accept it for Holstein.

As, moreover, the expenditure for the army must be voted by the two representations, each for its own share, that for the Holstein troops forming the Federal Contingent, must remain separated from that which concerns the Dano-Schleswig troops. To serve as basis for the calculation of this latter expenditure a table of the strength of the Dano-Schleswig troops has been laid before the Rigsraad, under the title of a provisional plan for that part of the army. This project is indispensable for the vote of the Rigsraad on the Military Budget. Finally, the reform of the Rigsraad, proposed by the Government, in no way concerns Holstein; only among the temporary provisions there is one which repeats the principle laid down above, on the consequences of a disagreement between the two representatives.

The English Government has further asked of use whether we should be disposed to accept a mediation as soon as, in consequence of the above-mentioned declaration, the Federal Execution had been definitely avoided. We at once express our adhesion to a mediation undertaken by the Powers signatary of the Treaty of London, while reserving to ourselves to lay down the basis of such a negotiation when we are invited to enter on that preparatory question.

Inclosure 2 in No. 185.

Memorandum delivered by Sir A. Paget to M. Hall, October 22, 1863.

THE paragraph in the Memorandum delivered to me by M. Hall on the 20th instant, which refers to mediation, does not appear to give a correct idea of the proposal of Her Majesty's Government on this subject, when it says that Her Majesty's Government inquired whether the Danish Government would be disposed to accept mediation on condition of the Execution being definitively abandoned. The suggestion of Her Majesty's Government was that, as an inducement to the Diet to forego the Execution, the Danish Government at the same time that they suspended or withdrew the Patent, should declare their willingness to accept the mediation of Great Britain or of the Great Powers relative to the international questions.

In my interview with M. Hall on Monday the 19th instant, I suggested to his Excellency that, in order to give this idea a practical form, the Danish Government should state in their answer to the Diet that they did not dispute the international engagements of 1851-52; but as the Danish and German interpretations of these engagements differed so widely, the questions relating to them could only be decided by the mediation of the Powers not directly interested in them.

M. Hall replied that he would confer with his colleagues on this suggestion.

Copenhagen, October 22, 1863.

(Signed) A. PAGET.

No. 186.

Lord Bloomfield to Earl Russell.—(*Received October* 26.)

My Lord, *Vienna, October* 22, 1863.

I HAVE read and given to Count Rechberg a copy of your Lordship's despatch of the 14th instant to Sir Alexander Malet on the question of the Danish Duchies.

His Excellency did not appear to have been aware that this communication had been made by Her Majesty's Minister at Frankfort to the President, and was disinclined to speak on the subject. He observed, however, that the provisional arrangement alluded to would be insufficient, and that the only way to arrive at an understanding was for Denmark to withdraw the Royal Patent of the 30th March.

As to menaces of war he said Germany was not going to make war, that a Federal Execution was not war, and that if Denmark committed acts of hostility against Germany in execution of her legal calling she would become responsible for them. That as to Schleswig or Jutland there was no thought of entering either country, and that with regard to the Treaty of 1852 Austria and Prussia must take the consequences of it, but their policy would be inseparable from that of Germany.

I told Count Rechberg that Her Majesty's Government hoped means would yet be discovered of preventing the threatened Federal Execution, for there was no calculating what European complication might not spring from it.

I have, &c.
(Signed) BLOOMFIELD.

No. 187.

Sir A. Buchanan to Earl Russell.—(*Received October* 26.)

My Lord, *Berlin, October* 23, 1863.

I HAVE acquainted M. de Bismarck with the contents of the despatch which your Lordship addressed to Sir Alexander Malet on the 21st instant, for communication to the President of the Frankfort Diet, and in which you state that two principles ought, in the opinion of Her Majesty's Government, to be laid down as a basis of agreement in the Schleswig-Holstein question :—

The one, that all matters in regard to finance and to legislation relating to the Duchies of Holstein and Lauenburg, and arising therein, should be settled in conformity with the rules of the Germanic Confederation ;

The other, that all matters of international difference should be referred to the mediation (not to the arbitration) of friendly non-German Powers, with a view to a pacific and final settlement.

M. de Bismarck said he entirely agreed with Her Majesty's Government as to the expediency of these principles being adopted as the basis for an arrangement ; and I have since heard that M. de Sydow has reported that your Lordship's despatch has some prospect of being favourably considered at Frankfort.

I may mention here that M. de Bismarck asked me some days ago whether it might not be possible to effect an arrangement by arbitration ; and I replied, that as countries did not submit questions affecting their independence to the arbitration of the Governments of other States, Her Majesty's Government were not likely to ask Denmark to do so.

I have, &c.
(Signed) ANDREW BUCHANAN.

No. 188.

Sir A. Buchanan to Earl Russell.—(*Received October* 26.)

(Extract.) *Berlin, October* 24, 1863.

I INFORMED M. de Bismarck that the last news from Copenhagen received by M. de Quaade represented his Government as intending to give an answer to the Diet which would contain nothing of a provocative character ; and I had called to say that Her Majesty's Government agreed entirely with his Excellency that no part of the moneys raised in Holstein and Lauenburg can be appropriated to the general expenditure of the Danish Monarchy without the consent of the Legislatures of these Duchies. But I said

though Her Majesty's Government are of opinion that Denmark cannot decline to yield on this point, they consider that the message sent by the Diet to Copenhagen, communicating to the Danish Government their Decree of the 1st of October, threatens Execution, unless Denmark grants satisfaction to the Confederation with respect to the general constitution of the Danish Monarchy: a question which, in the opinion of Her Majesty's Government, can only form a subject of negotiation between the Diet and the King of Denmark, and upon which the Duke of Holstein has no power to make concessions.

Her Majesty's Government therefore consider that Denmark cannot be expected to yield to the demands of Germany on this point, but that the two questions should be separated by Germany, and as Prussia is apparently of the same opinion as Her Majesty's Government, she should support the negotiations which they have opened with the Diet at Frankfort.

M. de Bismarck replied that what I had said to him on the part of Her Majesty's Government, as to the necessity of separating the two questions, expressed entirely his own opinions, but he could not admit that Denmark had been threatened by the Diet with an Execution in order to obtain satisfaction with respect to the general Constitution of the Danish Monarchy. That the Decrees of the Diet had hitherto embraced all points in dispute between Denmark and Germany, because no decision had been taken as to the means which might be necessary to support the claims of the Diet. It had never been certain whether negotiations or an Execution in Holstein would suffice, or whether it might not be expedient to have recourse to hostilities against Denmark. When therefore it was resolved, on the 1st of October last, to employ an Execution as a means of protecting the rights of the people of Holstein against their Duke, it had been necessary to quote certain Decrees of the Diet having reference to these rights; but it had never been intended that all the provisions in these Decrees should be carried out by the Execution, but only those parts of them which referred to the relations of the Duke of Holstein to his subjects, and he said that any misapprehension which may have existed on this subject would now have been removed by the answer which the Diet have decided to give to your Lordship's despatch to Sir Alexander Malet of the 29th ultimo. If, therefore, he continued, the Danish Government are prepared to give the Diet the satisfaction which Her Majesty's Government consider them entitled to, there will be no necessity for the Execution.

I replied that from a telegram received from Frankfort it appeared that the Diet having answered your Lordship's despatch of the 29th ultimo, were now about to take into consideration that of the 14th instant, and I asked whether he would support the Danish proposal which it contained, as affording a sufficient satisfaction to the Diet in the Federal question. He said that he would rather not express an opinion on this subject until he understood more fully how far the Danish proposal would secure to the people of Holstein the enjoyment of their constitutional rights. I therefore asked if the answer would be given to your Lordship's despatch before the delivery on the 27th instant of the reply to the message of the Diet to Copenhagen, and, if so, I inquired whether the Diet could have any objection to state in that answer that if, by the Danish proposal, it was intended to secure entire control to the Legislature of Holstein and Lauenburg over the revenues of their Duchies, the Diet would be ready to accede to it. He replied that they might perhaps be able to say in the event of their not accepting the proposal, that "if it had secured to the Legislature of the Duchies full control over their expenditure and legislation it might have been adopted," but he repeated that he was not yet prepared to speak upon the subject, and he believed the Diet would entertain a strong objection to take the initiative and to state the nature of the satisfaction which they would accept from Denmaark, as it was the duty of the Duke of Holstein, in answer to their message, to give them the satisfaction to which your Lordship thought them entitled.

No. 189.

Sir A. Malet to Earl Russell.—(*Received October* 26.)

My Lord, *Frankfort, October* 23, 1863.

I HAVE the honour to inclose a note which I have received from the President of the Diet, with an inclosure, which I forward in original and translation, notifying that the Diet cannot adopt the proposal of mediation made in your Lordship's despatch of the 29th of September, addressed to myself, which by your Lordship's instructions I presented to the President of the Diet on the 1st of October to be laid before the Diet.

The conclusions of the Report are in the sense my previous communications will have led your Lordship to expect. All intention of interfering with Schleswig or with the Constitution of Denmark are disavowed, but the Federal rights in respect of Holstein and Lauenburg upheld, and the right of foreign intervention in what is asserted to be a purely Federal matter is denied.

Your Lordship's friendly motives in proposing a mediation are at the same time fully recognized, and it is on this account, as the Report states, that the grounds for the Diet's proceeding to Execution in Holstein and Lauenburg are discussed.

Your Lordship will further see from this Report that the Decree of the 30th March is by no means the only grievance intended to be rectified by the proposed extreme measure, and it may therefore be apprehended that the repeal of that Decree, though now consented to by Denmark, will not of itself suffice to arrest the Execution.

Still, I cannot but persuade myself that if the answer of the Copenhagen Cabinet does intimate the withdrawal of that Ordonnance and willingness to treat on the other matters in dispute, the proffered good offices of Her Majesty's Government could hardly fail of contributing to an arrangement.

I have, &c.
(Signed) A. MALET.

Inclosure 1 in No. 189.

Baron Kubeck to Sir A. Malet.

(Traduction.) *Francfort, le Octobre*, 1863.

LE Soussigné, Ministre d'Autriche, Président de la Diète Germanique, n'a pas manqué de communiquer la note de son Excellence Sir Alexander Malet, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté Britannique près la Confédération Germanique, en date du 1er de ce mois, à laquelle se trouvait jointe la copie d'une dépêche du Comte de Russell, en date de Londres, le 29 Septembre, 1863, concernant l'affaire de la Constitution des Duchés de Holstein et de Lauenbourg, à la haute Diète Germanique dans sa séance du même jour.

Le Soussigné a maintenant l'honneur de porter à la connaissance de son Excellence la copie ci-jointe de la Résolution que la haute Assemblée Fédérale a prise par suite de cette communication, ainsi que du Rapport de Comité y relatif.

Le Soussigné, &c. (Signé) KUBECK.

(Translation.)

Frankfort, October, 1863.

THE Undersigned, Austrian Minister, President of the German Diet, has not failed to communicate the note of his Excellency Sir Alexander Malet, Envoy Extraordinary and Minister Plenipotentary of Her Britannic Majesty to the German Confederation, dated the 1st of this month, in which was inclosed the copy of a despatch from Earl Russell dated London, September 29, 1863, relating to the question of the Constitution of the Duchies of Holstein and Lauenburg, to the High German Diet in its sitting of the same date.

The Undersigned has now the honour to lay before his Excellency the inclosed copy of the Resolution which the High Federal Assembly has taken in consequence of this communication, together with the Report of the Committee relating to it.

The Undersigned, &c. (Signed) KUBECK.

Inclosure 2 in No. 189.

Report of the Sitting of the Committee and of the "Execution Commission" of the 29th of October, 1863, concerning the Affairs of the Duchies of Holstein and Lauenburg.

(Translation.)

IN the sitting of the 1st instant a note from Sir A. Malet, &c., inclosing copy of a despatch from Earl Russell dated London, September 29, 1863, concerning the affairs of the Constitution of Holstein and Lauenburg, was laid before the Diet by the President. This note was submitted without delay to the United Committee, which will lose no time in making a Report upon it.

The note of Her Majesty's Minister is printed in the Protocol of the 29th sitting of this year, and requires no special consideration, as it contains no remarks relative to the question in point.

As the United Committee undertake to express their opinion relative to the present despatch, they must, in the first place, declare that the constitutional affairs of Holstein and Lauenburg are essentially affairs of the Union, and the Germanic Confederation cannot permit the interference of foreign Powers.

When the Diet, in the Resolution of the 9th of July of this year, examined the proposition of mediation of Her Britannic Majesty's Government, it occurred in consequence of references then made to the Duchy of Schleswig, and it (the Diet) entertained the hope that they might succeed in solving the pending differences of a Federal as well as international nature by means of reciprocal negotiations.

This hope is wrecked, and now it has immediate reference only to the Federal condition of Holstein and Lauenburg. In this sphere the Germanic Confederation has rights and obligations, the extent and maintenance of which it cannot allow to depend either on the judgment or on the recognition of foreign Powers, or give up to foreign influence.

This fundamental principle of the entire freedom and independence of the Diet in all Federal affairs has been, especially in its application to the Holstein-Lauenburg question, up to this time acknowledged and respected by the European Powers, and every attempt to infringe on the same must appear the more serious as it is directed against the foundations of this system, on which the peace and security of Germany rest, and which form an essential condition of the balance of European power, and constitute an indispensable guarantee for the general interests and peace of Europe.

The reporting Committee might end their discussion here. Nevertheless, as they will not ignore that the despatch of Earl Russell originated from the earnest desire for a peaceful solution of the questions at issue, as it appears as if he (Earl Russell) feared the High Diet was on the point of submitting the constitutional existence of the Danish Kingdom to their own decision, the Committee considers it right to express its opinion in this respect.

It is not the Constitution of those countries belonging to the Crown of Denmark, not appertaining to the Diet, but the obligations laid upon Holstein and Lauenburg by their Sovereign, in favour of the entire Monarchy, which form the reason and object of the Federal Execution, whose aim is to protect the Federal rights of those German Duchies in regard to their rulers, and to carry out for this end the demands denoted in Earl Russell's despatch as the fundamental principle of constitutional government.

To these rights belong the rejection of an attempt on the part of the Danish Government and the Danish Parliament, either alone in such matters as appertain to the general affairs of the whole Monarchy, to make decisions in disregard of the rights and material resources of Holstein and Lauenburg, or to treat such affairs as are especially Duchy Schleswig, to the exclusion of the constitutional co-operation of these two Duchies.

In order to make this point quite clear, it is advisable to examine more narrowly the expression "Danish Parliament." If by it is understood the "Danish Diet," it is entirely permitted to it, in common with the Danish Government, to create all laws, arrangements, and measures for the actual Kingdom of Denmark, with the help of the material means of the same which may appear suited to its welfare, and neither the Representatives of Holstein and Lauenburg nor the Diet will interfere here, and it neither will nor can impose a veto.

If, however, by Danish Parliament is understood the "Reichsrath" it must be recalled to mind that this has been abolished for Holstein and Lauenburg, since the General Assembly of October 2, 1855, as contrary to the Confederation, and especially it cannot be considered as an authorized organ for the general affairs of the whole Monarchy, and therefore by its decree the Constitutional concurrence of Holstein and Lauenburg, cannot be secured.

In the same manner it holds good in reference to the expression "Kingdom of Denmark," which can only have a double meaning.

If one understands thereby the real Kingdom of Denmark, in opposition to that portion of the country which ought not, according to Treaty, to be incorporated with it, then the Germanic Confederation has never attempted to influence the Constitution and Government. Nor does it do so now. But if one understands thereby the whole of the country united under the Sceptre of the King, so it is the right and duty of the Diet, and now the task of the Federal Execution, to afford protection to that portion of country belonging to the Confederation against an infringement of its rights by the ruler.

The difficulties which oppose themselves to the solution of this task are not created by the Diet, which for many years has exerted all reasonable means for accommodation with the greatest patience. If, therefore, an European Government is made uneasy by

the present position of the question, it would be desirable that it should direct its influence where the recognition of evident right is always denied.

The Diet is, at all events, not in a position, in view of the continued unlawful acts of the Royal Government of Denmark, to desist from the proceedings of Execution resolved upon, and would place itself in contravention to the principles of the Diet and all its bounden duties were it to submit an affair of internal policy such as is the Constitutional affair of the Duchies of Holstein and Lauenburg to the mediation of foreign Powers.

Under these circumstances the united Committees make the proposition:—

May it please the high Diet to decide:

1. That they are not in a position to take any action upon the communication of Her Majesty's Minister of the 1st instant.

2. To request the President to communicate a copy of the decision and of the Report of the Committee in answer to the communication contained in the note of Her Britannic Majesty's Minister.

No. 190.

Sir A. Malet to Earl Russell.—(*Received October* 26.)

My Lord, *Frankfort, October* 23, 1863.

I HAD last night the honour of receiving your Lordship's despatch of the 21st instant, and in obedience to your instructions of the same day have this afternoon placed a copy of it in the President's hands for communication to the Diet (after having first read the despatch to his Excellency), with the note copy of which is annexed.

I have, &c

(Signed) A. MALET.

Inclosure in No. 190.

Sir A. Malet to Baron Kubeck.

Frankfort, October 23, 1863.

THE Undersigned has received instructions from his Government to give to M. le Baron de Kubeck, President of the High Diet of the Germanic Confederation, a copy of the accompanying despatch, which Earl Russell has addressed to the Undersigned, regarding the questions now pending between the High Diet and the Kingdom of Denmark.

The Undersigned, &c. (Signed) A. MALET.

No. 191.

Sir A. Malet to Earl Russell.—(*Received October* 26.)

My Lord, *Frankfort, October* 24, 1863.

THE copies of your Lordship's despatch of the 27th May last to Her Majesty's Ambassadors at Vienna and Berlin, and of your Lordship's despatch addressed to myself of the 14th instant, which I delivered to the President on the 18th instant, were laid before the Diet in the sitting of the 22nd, and referred to the joint Committees.

I have, &c.

(Signed) A. MALET.

No. 192.

Sir H. Howard to Earl Russell.—(*Received October* 26.)

(Extract.) *Hanover, October* 24, 1863.

WITH reference to my despatch of the 19th instant, I have the honour to transmit herewith a translation of a note of the 23rd instant which I have this day received from M. de Rössing, the Minister for Foreign Affairs of the Grand Duke of Oldenburg, expressing his dissent from the views contained in the despatch which your Lordship addressed on the 27th of May last to Her Majesty's Ambassadors at Vienna and Berlin on the question of Federal Execution in Holstein, and of which I communicated to his Excellency a copy by your Lordship's directions.

Inclosure in No. 192.

M. de Rössing to Sir H. Howard.

(Translation.) *Oldenburg, October* 23, 1863.

YOUR Excellency had the kindness to communicate to me, under date of the 18th instant, a copy of a despatch which Her Britannic Majesty's Secretary of State for Foreign Affairs addressed on the 27th of May last to Vienna and Berlin on the subject of Federal Execution in Holstein. In acknowledging the receipt of this copy, I cannot omit to answer, that in my opinion the German Diet is alone competent to decide upon the Federal obligations of the Royal Danish Government, and upon the measures which may secure their fulfilment. It also appears to me indubitable that the just demands of the German Diet in respect to Schleswig should not be submitted, as Earl Russell assumes, to the consideration of the European Powers, because they are perhaps of an international character. I see the less reason, however, for entering further into the subject of the contrary opinion contained in the despatch of which a copy has been communicated to me, because it belongs to the German Diet, if necessary, to pronounce itself upon it.

I avail, &c.

(Signed) VON RÖSSING.

No. 193.

Earl Russell to Sir A. Buchanan.

Sir, *Foreign Office, October* 28, 1863.

I HAVE received your despatch of the 24th instant, reporting the conversations which you had had with Count Bismarck relative to the Danish Duchies question, and I have to inform you that I approve the language which your Excellency used on this occasion.

I am, &c.

(Signed) RUSSELL.

No. 194.

Earl Cowley to Earl Russell.—(Received October 28.)

(Extract.) *Paris, October* 27, 1863.

M. DROUYN DE LHUYS assures me that his advice to the Danish Cabinet has been of a most pacific nature, and that he has recommended acquiescence in the Federal Execution, should the Diet persist in ordering it, rather than risk hostilities.

No. 195.

Earl Russell to Sir A. Buchanan.

Sir, *Foreign Office, October* 28, 1863.

YOU will observe to M. de Bismarck that Her Majesty's Government have in no way interfered in any question of the Federal jurisdiction of the German Confederation.

Her Majesty's Government endeavoured to induce Austria and Prussia to separate the question of Holstein and Lauenburg from the question of the Constitution of the Danish Monarchy and the question of Schleswig.

But the German Diet thought proper to serve a summons upon Denmark, founded upon all the Decrees of the Diet from 1858 to 1863, and therefore embracing questions going beyond those which justify Federal Execution.

Her Majesty's Government are bound, by the Treaty of 1852, and when they are informed that Lauenburg, with 50,000 inhabitants, is to take part in a Constitution with the Kingdom of Denmark, which has 1,600,000 inhabitants, "in such a manner that no part shall be subordinate to another," and that each portion is to have "equal rights," Her Majesty's Government could not but perceive that such a pretension would vitally affect the independence of the Danish Monarchy, and stretch far beyond the circle of Federal rights and obligations.

Your Excellency will be so good as to explain this view to M. de Bismarck, and I feel sure he will perceive at once the reasonableness of the course Her Majesty's Government have taken.

I am, &c.
(Signed) RUSSELL.

No. 196.

Earl Russell to Sir A. Paget.

Sir. *Foreign Office, October* 28, 1863.

IT is very essential at the present moment that the questions between Germany and Denmark should be reduced to an issue to which Denmark can agree, or decline to agree.

Her Majesty's Government think that Denmark might well agree to declare at Frankfort that she will not apply to the common expenses of the Danish Monarchy any part of the revenues raised in the Duchies of Holstein and Lauenburg, without the consent of the respective Duchies, until some general arrangement in regard to the whole question of finance is settled between Denmark and Germany.

If such declaration should be made, other questions of an international character may be reserved for settlement under the mediation of some disinterested Power or Powers, and Her Majesty's Government would wish to know whether Denmark, in regard to such question, is prepared to accept mediation, and if so, whether she will herself make to the Diet a proposal to that effect, or authorize Her Majesty's Government to make it in her behalf.

I am, &c.
(Signed) RUSSELL.

No. 197.

Sir A. Paget to Earl Russell.—(*Received October* 29.)

My Lord, *Copenhagen, October* 26, 1863.

M. HALL has had the goodness to communicate to me a copy of the Declaration to be made by the Danish Representative at the next meeting of the Diet, and I have the honour to inclose a copy of it, together with a translation by Mr. Scott, for your Lordship's information.

With the exception of the clauses relative to the Constitutional rights accorded to the Holstein States, and which are maintained, the Patent is declared to be a provisional measure, and the Danish Government announce their readiness to negotiate with Germany respecting it.

They further add that "they are willing to meet the wishes of the Confederation on every point where the independence and equality of rights demanded for the Federal territories cannot be considered as already satisfactorily secured."

Nothing, in short, can be more courteous and conciliatory than the whole language of this declaration; it does not contain one word implying that the Execution will be resisted or considered as a commencement of hostilities, still less one word of provocation. If the Confederation is desirous of negotiation, instead of Execution, it is certain that the occasion is now afforded to them.

I am bound, however, to add that M. Hall's accounts from Frankfort give but little hope that the Diet will adopt a conciliatory course. M. Von der Pfordten, the Bavarian Minister, is reported to have said that Germany would proceed with the Execution *à tout prix*, and to have thrown out the idea that the Austrian fleet should be sent to the Baltic to protect German commerce, in the event of Denmark making reprisals by sea. It does not appear, however, that the latter suggestion received the support of the Austrian Minister.

I have, &c.
(Signed) A. PAGET.

Inclosure in No. 197

Declaration.

(Translation.)

THE Envoy is instructed to deliver the following Declaration with reference to the demand addressed to the Royal Government in the Federal Decree of the 1st instant:—

The Execution resolved upon by the High Federal Assembly on the 1st of October is to "bring about the accomplishment of the Federal Resolutions of the 11th February and 12th August, 1858, of the 8th March, 1860, of the 7th February, 1861, and 9th July, 1863, in the Duchies of Holstein and Lauenburg." The Federal Resolution meanwhile adds to this, "in so far as the same have not been already carried out," and in reality the Decrees of the High Confederation alluded to have already in a very essential part been carried out by the Royal Government.

For instance, in so far as the High Assembly has thought it its duty to require changes in the Constitutional position of the Federal territories, in order to protect the latter against encroachments presumed to threaten them on the side of the remaining parts of the Monarchy lying outside the Confederation, and especially in so far as there is question of according to the German Duchies the conditions for a free and independent development, His Majesty the King has, in his desire to confirm his friendly relations with Germany and to indulge the wishes of his subjects, been both willing and able to fulfil the demands made on him by the Confederation. The steps taken by His Majesty prove sufficiently his readiness not only to accord to the Duchies of Holstein and Lauenburg full Constitutional freedom with respect to the peculiar affairs of those territories, but also to grant in addition to the Holstein States, in the common affairs, in so far as they concern the Duchies, the same legislative and deliberative authority as is exercised by the Rigsraad for the remaining parts of the Monarchy which do not belong to the Confederation.

On the other hand, in so far as the demands of the High Federal Assembly take a wider range, and, for instance, are directed towards establishing a change in the Constitutional relations of the non-German territories, and to limiting the free movement and development of the same, seeing that the obligations of the King to his Danish subjects, and his position as an independent European Sovereign, do not permit His Majesty to meet in the same way the Resolutions of the High Confederation, into which he has only entered on behalf of his German Duchies, every demand of this kind is in its nature completely international, and the grounds for an Execution undertaken for this object are as little to be found in the rights of the Confederation as the impossibility of bringing about the accomplishment of such a demand "by an act of Execution in the Duchies alluded to" is evident.

The last Resolution of the High Federal Assembly is especially directed against the Royal Ordinance of the 30th March. With respect to this, His Majesty's Government can only declare that in this Act the view they really had was to satisfy in the above-mentioned degree, the demands of the Confederation. The High Federal Assembly has now required the recall of this Royal Decree. But since it is by this Decree that the legislative and deliberative powers which the Federal Decrees have, under threat of Execution, demanded for the Duchies, with the necessary consequences of such an Ordinance, in virtue of which two separate and different Assemblies are to exercise Constitutional rights in the same affairs, have been established and conceded, the Royal Government is surely not in error in supposing that this basis of the Royal Patent is not included in the demands of the Diet for the revocation of this Act.

And as far as the other arrangements included in the above-mentioned Act are concerned, the Royal Government are ready to enter into negotiations with the High Confederation in order to come to an understanding with the latter on alterations in this Act, to which the Royal Government have therefore, in so far, given only a provisional character.

All that the High Confederation would have been able to obtain by an Execution in Holstein and Lauenburg can accordingly be more easily and completely brought about by means of a peaceful understanding. For His Majesty's Government repeat that "they are willing to meet the wishes of the Confederation on every point where the independence and equality of rights demanded for the Federal territories cannot be considered as already satisfactorily secured." And, on the other hand, it is equally certain that all that the Confederation may wish to obtain besides can under no circumstances be enforced in the Duchies of Holstein and Lauenburg by means of an Execution.

The Royal Government may therefore hope that the High Federal Assembly will again take this subject into consideration, before proceeding to an extreme and dangerous means, which, while it will not procure for the Confederation the satisfaction of a single

founded claim which could not have been obtained by other and better means, will only have the effect of injuring important and mutual interests, and enfeebling the hopes of a lasting understanding.

No. 198.

Sir H. Howard to Earl Russell.—(Received October 30.)

My Lord, *Hanover, October 28, 1863.*

I HAD some conversation with Count Platen this morning, on the occasion of his return from Nuremberg, relative to the Schleswig-Holstein question.

His Excellency stated that no mediation would be accepted by the Diet on the affairs of Holstein, but he could only repeat an opinion he had already frequently conveyed to me, that could the affairs of Schleswig be settled, those of Holstein could easily be arranged.

He expressed doubts whether a mediation by Great Britain alone on the Schleswig question would be admitted on account of her partiality for Denmark, but he adverted to a Conference of the Great Powers on that question as affording a mode of bringing about an arrangement. He said, however, that the Diet would claim to participate in this Conference.

I have, &c.
(Signed) HENRY F. HOWARD.

No. 199.

Earl Russell to Sir A. Malet.

Sir, *Foreign Office, October 30, 1863.*

HER Majesty's Government have reason to believe that Denmark is prepared, on the requisition of the Diet at Frankfort, to surrender to the Diet of Holstein entire control over the finances of the Duchy, including in this concession the Normal Budget.

In return for this concession, Her Majesty's Government are informed that Denmark would expect that a due share of the National Debt should be borne by Holstein.

This latter point, however, may be reserved for subsequent arrangement.

I have to instruct you to communicate with your Danish and Prussiau colleagues, and generally to shape your conduct in the manner most likely to promote an amicable settlement.

You will be careful, however, not to afford the Diet an opportunity of meeting with a refusal any overture on your part which it may assume to consider a definite proposal on the part of Her Majesty's Government; and you will on no account make any formal proposal to the President of the Diet without direct authority from me to do so.

I am, &c.
(Signed) RUSSELL.

No. 200.

Earl Russell to Sir A. Paget.

(Extract.) *Foreign Office, October 31, 1863.*

HER Majesty's Government have not yet learned from Frankfort that Denmark has announced to the Diet her readiness to accept the mediation of the Powers parties to the Treaty of London of 1852, in regard to all matters of an international character, in dispute between herself and the German Confederation. Her Majesty's Government consider, however, that the reference of the international question to mediation is as essential to an amicable settlement of existing difficulties as the surrender of the Normal Budget of Holstein.

I have, since beginning this despatch, received your telegram of the 31st of October, stating that instructions have been sent both to Frankfort and to Berlin confirming the surrender of the Normal Budget.

No. 201.

Sir A. Paget to Earl Russell.—(Received November 2.)

My Lord, *Copenhagen, October 28, 1863.*

IF the Danish Government had entirely withdrawn the Patent of the 30th of March, or, as I had reason at one moment to expect they would, had made it entirely provisional, and had consented to negotiate with the Diet on the definitive position to be given to Holstein without reference to any particular basis, instead of limiting the basis to that of the Patent itself, it is probable that the chances of the Execution being abandoned would be greater than they now are, because the Diet has already refused to negotiate respecting the Patent. The apprehensions which I expressed in my despatch of the 22nd instant, transmitting a copy of M. Hall's Memorandum, were founded on this reason. It is true, however, to say that the Danish Government could not have left the basis for negotiation undefined without being possibly led on to consequences opposed to the fundamental principles of their policy, viz., a separate representation for Holstein and the rest of the Monarchy upon the common affairs. If, through the representations of Her Majesty's Government the Diet can be induced to agree to this basis, and to confine its action to the obtaining for Holstein its Federal rights, purely and strictly speaking, the whole situation will be completely changed, and a greater step will have been made towards a settlement of these long-pending and complicated differences than has ever yet been accomplished.

When once the Danish Government is secure from any interference on the part of the Confederation with the other portions of the Monarchy, they will have no interest in withholding from Holstein anything which can be legitimately required by or on behalf of that Duchy, and the effect of this state of things will no doubt likewise be felt to the benefit of the German population in the sister Duchy.

The Declaration now sent to Frankfort contains a distinct promise that the Danish Government will be "willing to meet the wishes of the Confederation on every point where the independence and equality of rights demanded for the Federal territories cannot be considered as already satisfactorily secured."

In my recent conversations with M. Hall I have informed him that I had heard from Her Majesty's Ambassador at Berlin that it was thought very desirable, with a view to preventing the Execution, to have some practical accomplishment of this promise.

His Excellency showed no disinclination to act as suggested, provided it was clearly pointed out what was required; but, until this was done it would be working in the dark to make any alterations in the existing state of things.

In the Royal rescript attached to the Patent of the 30th of March, the Minister for Holstein is directed to prepare two drafts of Constitution for Holstein, one regulating the position of the Duchy in the common affairs of the Monarchy; the other, with reference to its domestic or provincial affairs, which latter was to be framed in a spirit "corresponding with the times," and with a due regard to "liberty of the press, right of petition, of forming unions, and holding public meetings;" but as the Estates of Holstein refused even to examine the proposals which were laid before them, it has not been possible for the King of Denmark to give effect to his liberal intentions.

So long as the Estates of Holstein maintain their present attitude, they render it manifestly impossible for the Danish Government to remedy any evils complained of in the existing laws, and when Denmark is urged to declare that "she does not intend to maintain legal measures, which she had already applied to the Duchies without the sanction of their respective Legislatures," I am really at a loss to conceive how this can be accomplished, without reducing the Duchy to a state of anarchy, if the Estates continue in their dogged refusal to co-operate with the Government in legislation.

The ostensible object of the Confederation in all proceedings against this country has been to force the Danish Government to establish a common Constitution, and they are menaced at this moment with Execution, for having issued a Royal Ordinance departing in its essential principles from that basis; but if it should now turn out that Germany insists upon the abolition for Holstein of the share it has to contribute to the Normal Budget, which is common to the whole Monarchy alike, Germany will itself be taking a more decided step towards the separation of Holstein than any which has yet been ventured upon by Denmark, and which, if Denmark had proposed, would certainly not have failed to have raised a storm of reproaches against her, as being a further advance in the way of violating her engagements.

For this reason, amongst others, the Danish Government can hardly be expected to take the initiative in this matter. If, however, they were to receive a distinct requisition from the Diet upon this subject, and that by the abolition of the Normal Budget they

would be certain of obtaining a useful result, it is probable that, in accordance with the promise contained in their present Declaration, the demand of the Diet would be complied with; but until such demand is addressed to them by the Diet, it appears to me to be of doubtful utility to urge them to take a step which would not only deprive them of every dollar of revenue from Holstein towards the common expenses on which they can count, without securing any advantage in return, but might, for the reasons above stated, be dangerous in its consequences in other respects.

I have, &c.
(Signed) A. PAGET.

No. 202.

Sir A. Paget to Earl Russell.—(Received November 2.)

My Lord, *Copenhagen, October 28, 1863.*

I HAVE lately had some conversation with some of my German colleagues respecting the modifications which the Danish Government declare itself prepared to introduce in the Patent of the 30th of March.

Their arguments may be summed up as follows :—

"Although it is intimated that in some respects the Patent of the 30th of March is to have a provisional character, its main feature (the separation of Holstein on any question of disagreement with the Kingdom and Schleswig) is retained as a fixed principle, and even were it not so, the proposed Constitution for Denmark and Schleswig remains in the background.

"It is impossible to disconnect the bearing of these two acts upon each other. An illustration will prove the correctness of this theory.

"The 18th paragraph of the proposed Constitution enacts as follows :—

"'The legality in the Kingdom and the Duchy of Schleswig of a law approved of by the Rigsraad, and confirmed by the King, is not dependent upon any sanction of the Legislative power of any other portion of the country, unless such has been provided in the law itself.'

"The new Customs Law was voted in the last extraordinary session of the Rigsraad, and requiring the sanction of no other Legislative power (according to the Article just cited) will come into force for Denmark and Schleswig on the 1st of April, 1864.

"If the Estates of Holstein agree to the same law, it will have effect in the whole Monarchy; if not, the law taking effect for Denmark and Schleswig, as above stated, and being rejected by the Estates of Holstein, a definitive separation on this very important matter takes place between the Duchy and the rest of the Monarchy, and it is against this very principle of contingent and definitive separation contained in the Patent of the 30th of March, and reproduced in the new Constitution that the Diet protests.

"The whole question turns in short upon the engagements of 1851-52 for a common Constitution. The Diet, by Decree of March 1860, required that until such common Constitution was found, Holstein should be endowed provisionally with full Constitutional rights. Denmark replies to this by granting by the Patent of the 30th of March these rights in a definitive manner, thereby leaving the basis of a common Constitution, and although the Patent is now declared provisional in some of its clauses, the main principle is maintained: and if it were not, the gap is filled up in the proposed Constitution.

"In order that the provisional character which it is now proposed to give to the Patent should be of any value and effect, it would likewise be necessary to attach a provisional character to the new Constitution, or that it should not be proceeded with."

For these reasons they said it was impossible for the Diet to be satisfied with the declaration which the Danish Government was now sending to Frankfort, and could not do otherwise than carry out the Execution.

I have replied to these gentlemen by stating, in the first place, that whatever might be the bearings of the Constitution for Denmark and Schleswig on the Patent of the 30th of March, that Constitution was at present only under discussion, and might or might not become law. That the decision of the Diet respecting the Danish answer to the last summons could only be given in reference to existing facts, and not upon what might be the state of things at some future time: that, moreover, the relations between Schleswig and Denmark, and of these two towards Holstein, was an international question, and could not be summarily dealt with by the Diet by means of an Execution; that, as for the accusation against Denmark of having violated her engagements to establish a common

Constitution, I must remind them that this was also an international question, as it affected the other parts of the Monarchy; that the Holstein Estates themselves, in the Report which they made to certain proposals for a common Constitution which had been laid before them by the Danish Government, had distinctly stated in rejecting these proposals that it was impossible for the Danish Government to draw up a project for a common Constitution with which they could be satisfied; that the Holstein Estates were now possessed of as much authority over the share of Holstein in the common expenses and laws affecting the Duchy as the Rigsraad was for Denmark and Schleswig; and that unless the Diet was prepared to show that the Danish Government imposed upon Holstein laws which were contrary to Federal Decrees and Acts, and placed the Duchy in a position of inequality, or in some other way violated their Federal engagements, strictly interpreted, the Execution could not legally be carried out.

I have, &c.
(Signed) A. PAGET.

No. 203.

Sir A. Paget to Earl Russell.—(*Received November* 2.)

My Lord, *Copenhagen, October* 29, 1863.

NOT having succeeded in persuading M. Hall, in the first instance, to announce at Frankfort that the Danish Government agreed to mediation on the international questions, I should, probably, not have reverted again to the subject without your Lordship's instructions, but for a conversation I had the day before yesterday with my Prussian colleague, in which he expressed a very decided opinion that it was highly desirable the Danish Government should themselves declare to the Diet that they accepted the proposed mediation.

M. Hall called upon me very shortly afterwards, and I immediately informed him of what had been said by M. de Balan, and urged him very strongly to act in the way I had originally suggested, and which I had afterwards placed on record in the memorandum I had given him on the 22nd instant.*

His Excellency again showed great disinclination to do this. He said that the Danish answer had, perhaps, at the time we were speaking, been already presented at Frankfort; that it had been sanctioned by the King in its present form at the last Council, where it was decided that the acceptance of the proposed mediation should be announced to Her Majesty's Government, and not to the Diet; and, consequently, a different decision could not be taken without His Majesty's authority.

I observed to M. Hall that, as the fact of mediation had been agreed to by the King, the manner in which it was announced that it was accepted by Denmark was a matter which surely he, as President of the Council and Minister for Foreign Affairs, was enabled to take upon himself to decide. The object, of course, was that the acceptance of the Danish Government should be made known in the way and through the channel by which it was most likely to produce a good effect. My original opinion upon this subject had, I said, as I had just told him, been confirmed by my Prussian colleague. It was very improbable, I continued, as his Excellency had himself admitted to me in one of our recent conversations, that the Diet would convoke a special sitting for receiving the Danish answer; and unless they did so, there was plenty of time to communicate the last orders of the Government, by telegraph, to their Minister at Frankfort.

M. Hall replied that, admitting it to be possible to get over the difficulties just alluded to, he still maintained that it would be more desirable, on every consideration, that it should be through Her Majesty's Government that the Diet should be informed that Denmark accepted the mediation. The Danish Government did not wish to have the appearance of seeking mediation.

I said that this might be perfectly avoided by the wording of the phrase in which their acceptance of it should be announced. They would have one day or another, I added, to discuss the international questions; and it was clearly their interest that other Powers besides the German should be associated in the negotiations. By notifying at the Diet themselves their adherence to your Lordship's proposal they would show to the world that they did not shrink from an inquiry and negotiation upon their international engagements, provided these were conducted under the auspices of impartial witnesses, and the responsibility of declining this mode of proceeding would then devolve upon the Confederation.

* See Inclosure 2 in No. 185.

After some further discussion M. Hall said he would reflect on the subject, and inform me the next day of his decision.

Having subsequently met my Swedish colleague, I imparted to him the substance of my conversation with M. Hall, as well as the reason for my having again spoken to his Excellency on this matter. Count Hamilton said that he should see M. Hall the next morning, and would support the advice I had given.

Your Lordship's telegram of the 27th* did not reach me till after this had taken place.

Yesterday evening I met M. Hall at dinner, when he informed me that, after consultation with his colleagues, a telegraphic instruction had been sent to the Danish Representative at Frankfort, desiring him to make a declaration to the Diet in the sitting of this day, in the words of which he handed me a translation.

He explained to me that, at the voting on the 21st instant upon the Resolutions of the Diet with reference to your Lordship's despatch of the 29th of September to Sir A. Malet, the Netherlands Minister, who represented the King of Denmark on that occasion, had demanded a delay of eight days to receive instructions from Copenhagen, which had been refused. The declaration to be made to-day would therefore be given as the vote of the Representative of the King of Denmark on the Resolutions which passed the Federal Assembly on the 21st instant.

It is more an indirect acknowledgment that mediation might, perhaps, be useful, than a frank declaration of acceptance of mediation; but such as it is it can leave no doubt on the mind of the Diet that the Danish Government are prepared, for their part, to adhere to the proposal of Her Majesty's Government for settling the international questions.

I have, &c.

(Signed) A. PAGET.

No. 204.

Sir A. Paget to Earl Russell.—(Received November 2.)

(Extract.) *Copenhagen, October 29, 1863.*

HAVING telegraphed to Her Majesty's Ambassador at Berlin for more precise information as to what was required from the Danish Government, and having heard from his Excellency yesterday evening that it was necessary that the Danish Minister at Frankfort should have orders to declare that until the final arrangement of the whole question the Danish Government would give up the share of Holstein in the Normal Budget for the common affairs of the Monarchy, or acknowledge that the right of voting their share of the Normal Budget was included in the attributions of the Holstein States, I lost no time in imparting this information to M. Hall.

His Excellency immediately replied that, until receiving a demand upon this subject from the Diet, it was impossible for him to send any precise instructions to the Danish Minister at Frankfort; but he had no difficulty in declaring that, in principle, the suppression of the Normal Budget would not be opposed. It would be necessary, however, his Excellency added, that, if Holstein's share of the Normal Budget was given up, some arrangement should be come to with regard to the share of the Duchy in the National Debt.

This morning I have had a further interview with M. Hall.

I said that the great desideratum at this moment was for the Danish Government to make it possible for M. de Bismarck to give effect to his conciliatory views, and that what this Minister required was an engagement on the part of Denmark, that until all the questions at issue had been arranged, Holstein should be placed in the position she would hold if the Execution were effected. If this event took place, I said the Danish Government would, of course, be deprived of any contribution from Holstein towards the Public Debt; why not renounce therefore, I inquired, all claim under this head as well as under all others?

M. Hall said, that it would not be possible to put Holstein precisely in the same position during the negotiations as she would be in if the Execution took place. In this latter case the Customs frontier would be removed from the Elbe to the Eider, but during the negotiations it would, of course, remain where it is. I suggested that all sums received at the frontier of Holstein, during the negotiations, should be kept in reserve until a final arrangement; but M. Hall could not agree to this for the reason, which had escaped me in making the proposal, that the duties received are applicable not to the Duchy alone but to the whole Monarchy.

* See No. 196.

His Excellency however again repeated what he had said last night: that, in principle, he would agree to the withdrawal of the Normal Budget during the negotiations, subject to arrangements respecting certain items.

I again pressed his Excellency to authorize the Danish Minister at Frankfort to make a declaration in this sense, if inquiries were made by the Diet; M. Hall said it was too late to do this to-day, but before leaving I succeeded in obtaining from his Excellency, I will not say a positive promise, but an expression which leaves scarcely any doubt on my mind that he will act on my final suggestion, which was, that an instruction should be sent to the Danish Minister at Frankfort to say, in reply to any demand that may be addressed to him by the Diet as to the intention of the Danish Government, relative to the share of Holstein in the Normal Budget, until a definitive arrangement has been agreed upon, that, although his Government could not furnish him with precise instructions on this matter until the wishes of the Diet had been made known, he was nevertheless authorized to state, while taking the demand *ad referendum*, that they were disposed to comply with them.

M. Hall repeated a remark which he has often made before when Lauenburg has been mentioned, viz., that the only share which this Duchy has in the common affairs of the Monarchy, and indeed the only link between the Duchy and the Monarchy, except that of the Crown, is that Lauenburg pays into the common treasury the excess of its provincial revenues. It was therefore to no practical purpose that Lauenburg was mixed up in the question in dispute. It was a most contented little Duchy, he said, from which he was now frequently receiving addresses expressive of the satisfaction of the population in their present lot, and inquiring for what reasons, as far as they were concerned, and to remedy what evils, the threatened Execution was to take place.

No. 205.

Lord Bloomfield to Earl Russell.—(*Received November* 2.)

My Lord, *Vienna, October* 29, 1863.

AT an interview which I have just had with Count Rechberg, I inquired whether the Danish question was making any progress. His Excellency replied that the news from Copenhagen appeared more favourable to an arrangement than it had yet been, but he had no fixed data to go upon.

The Danish Chargé d'Affaires had called upon him and spoken some vague words as to the withdrawal of the Royal Patent of March 30, and inquired if Germany would be satisfied with this measure. Count Rechberg appears to have asked for some written document, observing that a mere verbal communication on so important a matter could not be received—that he must know the precise communication the Danish Government had to make; but his Excellency said to me that he could obtain no more positive information as to any resolution that may have been taken, or was about to be taken, at Copenhagen on the subject, beyond the words he had cited to me above. He hoped, however, the statement of the Danish Chargé d'Affaires would shortly be followed by some communication of a satisfactory nature.

I told his Excellency that I trusted if any conciliatory proposal came from Denmark it would be met in the same spirit at Vienna; that Her Majesty's Government continued anxiously watching the progress of this affair, and sincerely desired to see the question of a Federal Execution put aside, and the chance of war removed.

I have, &c.
(Signed) BLOOMFIELD.

No. 206.

Sir A. Buchanan to Earl Russell.—(*Received November* 2.)

(Extract.) *Berlin, October* 30, 1863.

WITH reference to my despatch of the 24th instant, relative to the Holstein question, I shall now report as concisely as I can the negotiations which have taken place here with respect to it during the last few days.

On the 26th instant I received from Sir Augustus Paget a copy of his telegram to your Lordship of that date,* reporting the substance of the Danish answer to the Diet at Frankfort, and as I believed M. de Bismarck to have accompanied the King to Stralsund;

* No. 197.

where His Majesty had gone to be present at the opening of a Pomeranian railway, I wrote to M. de Thile, proposing that I should wait upon him, or receive him at the Embassy in the course of the evening, in order that I might communicate the information to him which had reached me. M. de Thile consequently called upon me, and on learning the amount of the concessions offered by Denmark he expressed much disappointment.

I called next day on M. de Bismarck, and observed that if the Diet, rejecting the Danish offer "to meet their wishes on every point in which the independence and equality of rights demanded for the Duchies cannot be already satisfactorily secured," were now to carry out the Federal Execution, impartial persons would be justified in believing that the Execution had other objects than those which are acknowledged, and that it was intended to employ it as a means of forcing Denmark to accept the terms of Germany in the international question.

M. de Bismarck replied that my observation might be reasonable under common circumstances, but I must remember that the principal cause why the Diet had recourse to an Execution was that they considered Denmark to have trifled with them during twelve years, by making promises which she never fulfilled, and it was therefore now necessary that some measure should be adopted in deference to the demand of the Diet which would satisfy them that Denmark acknowledged their authority and was ready to submit to it. The Diet would consequently, he said, on receiving the Danish Declaration, call upon the Government to renounce the share contributed by the Federal territories to the Normal Budget, until the final arrangement of the whole question, and if the Danish Government refused, it would be impossible to prevent the Execution.

I urged that it would be a hardship to deprive Denmark of the means of meeting Holstein's share of the national debt, for which the Government at Copenhagen were responsible; but his Excellency intimated that whatever inconvenience it might cause to Denmark, it was absolutely necessary that the revenue of the Federal territories should be placed under the entire control of their own Legislatures, before any attempt could be made to induce the Diet to submit the international question to mediation.

On the morning of the 28th instant I received from Sir Augustus Paget a telegram stating that Denmark could hardly be urged to renounce the Normal Budget unless the Diet asked it. I received also, at the same time, a letter from Sir Augustus, in which he was good enough to send me a copy of the Danish answer. Before I had time, however, to wait upon M. de Bismarck, the Danish Minister, who had also received a copy of the Danish answer, called to communicate it to me, and it was agreed between us that he should see M. de Bismarck, and let me know the impression which the answer produced upon him. In the meanwhile I sent a telegram to Sir Augustus Paget, stating that it was precisely the Normal Budget which the Danish Government were called upon to renounce in the language of M. de Bismarck, but which I modified into placing it under the control of the Legislatures of the Federal Duchies.

On the Danish Minister's return he told me, as I had expected, that M. de Bismarck considered the renunciation of Holstein's contribution to the Normal Budget as a *sine quâ non* to the acceptance of the Danish answer; and M. de Quaade promised to lose no time in supporting the message which I had sent to Copenhagen on this subject.

I then called upon M. de Bismarck and found it was useless attempting to induce him to change his opinion as to the necessity of some actual concession being made by Denmark.

On the 29th instant I received a telegram in reply from Sir Augustus Paget, stating that though the Danish Government cannot give up Holstein's share of the Normal Budget unless the German Diet called upon them to do so, they would comply with such a demand if made, on condition that Holstein assumed her share of the National Debt, and in the meanwhile they had instructed their Minister at Frankfort to declare to the Diet that Denmark had acceded to your Lordship's proposals for the arrangement of the international question by mediation.

I called, therefore, on M. de Bismarck, and, after communicating to him the accession of the Danish Government to your Lordship's proposal respecting the international question, I said they had also assented to his Excellency's wishes as to the Normal Budget, but on a condition for which I had been prepared, and in the justice of which I was sure he would acquiesce. When, however, I stated the terms on which Denmark would consent to relinquish Holstein's share of the Normal Budget, he said it would be necessary first to ascertain what parts of the Danish Debt could be fairly charged to Holstein, and that it would only be a share of such debts she could be called upon to assume. I said this was a question which it was quite impossible to consider at present; and if it should eventually be necessary to raise it, its character was so clearly international that it must form one of the subjects to be treated by the mediation.

The principle, I said, on which Denmark proposed to comply with the wishes of the Diet was evidently just, and if the Diet required the concession they must take it with its consequences, and it would be for them to raise afterwards a question, if there were grounds for it, as to the limit which might be claimed for Holstein's liability for the National Debt of the Danish Monarchy. But I said if such a question were raised, the foreign creditors of Denmark, who doubtless looked to all the territories of the Monarchy as a security for their loans, might have also a claim to be heard in it.

M. de Bismarck finally consented to inform M. de Sydow that in consequence of an inquiry which he had addressed to Copenhagen through me, he had reason to believe that Denmark would assent to a demand on the part of the Diet that she should relinquish Holstein's share of the Normal Budget on condition of the Duchy taking its share of the National Debt, and that he would instruct M. de Sydow to recommend the Committee to consider this information as a proof of the sincerity of the promises to meet the wishes of the Diet which are contained in the Danish answer. I therefore addressed a telegram to Sir Augustus Paget, acquainting him with this arrangement, and stating that I had made myself responsible for the willingness of the Danish Government to accede to the demand of the Diet if it is made to them.

I afterwards received a telegram from Sir Augustus Paget, stating that the Danish Minister at Frankfort would be instructed to give explanations, if asked, as to the disposition of his Government to comply with the wishes of the Diet, but that he would not be instructed to make a positive declaration on the subject until a formal demand of the Diet had been addressed to Copenhagen.

Having acquainted M. de Bismarck with the substance of this telegram, I submitted to him the memorandum of which a copy is inclosed, as a minute of the present state of the negotiations; and, as he assented to its correctness, I have given him a copy of it, and sent one to Sir Augustus Paget.

M. de Bismarck said there might be some difficulty, for if a majority in the Committee of the Diet refused on a point of form to receive any explanations from M. de Sydow, or any information which did not come before them through the Diet, they would be entitled to do so.

Subsequently to my interview with M. de Bismarck, I received a telegram from Sir Augustus Paget, stating that the Danish Government had decided on sending instructions to their Minister here instead of their Minister at Frankfort with reference to the Normal Budget, and that they would require some arrangement to be made with respect to the National Debt.

I immediately communicated the first part of this intelligence to M. de Bismarck; but, with respect to the question of the National Debt, I have seen M. de Quaade, and expressed to him a strong opinion against the expediency of his Government entering into any discussion on details in the present stage of the proceedings, and in favour of their merely stipulating that Holstein must continue to meet her share of the interest, on the Government at Copenhagen relinquishing her contribution to the Normal Budget. Her share, in the opinion of the Danish Government, will probably be one fifth, but the origin of some portions of the debt may give rise to the justice of that proportion being disputed by the Diet; and as such a discussion would be extremely inconvenient at present, it would be unwise in the Danish Government to provoke it.

Inclosure in No. 206.

Promemoria.

Berlin, October 30, 1863.

SIR ANDREW BUCHANAN informed Sir Augustus Paget by telegram on the 29th instant, that M. de Bismarck would take means to acquaint the Committee of the Diet at Frankfort, that if the Diet called upon the Danish Government not to apply to the general expenses of the Danish Monarchy without the consent of the Legislatures of Holstein and Lauenburg any part of the revenues of these Duchies, whether known as the Normal Budget or by any other name, they would comply with the demand of the Diet on condition that the Duchies of Holstein and Lauenburg took upon themselves their share of the National Debt; and Sir Andrew Buchanan further informed Sir Augustus Paget that M. de Bismarck would recommend the Committee of the Diet to accept this information as a proof of the sincerity of the promise contained in the answer of the Danish Government that they would meet the wishes of the Diet in every point in which it cannot be considered that the independence and security of the Federal territories has already been satisfactorily secured.

In answer to this message, Sir Andrew Buchanan received a telegram from Sir Augustus Paget on the 30th instant, stating that the Danish Government would make the concessions required, and that he hoped instructions would be sent immediately to the Danish Minister at Frankfort to explain, if called upon, that his Government are disposed to meet the views of the Diet respecting the Normal Budget, but that he will not be instructed to make a positive declaration on the subject until a formal demand is made to them by order of the Diet.

No. 207.

Sir H. Howard to Earl Russell.—(Received November 2.)

My Lord, *Hanover, October* 30, 1863.

ALTHOUGH the impression still prevails here that the Federal Execution in Holstein will ultimately be avoided, the Hanoverian Government are making the necessary preparations for carrying out the duty assigned to them by the German Diet.

I have already announced the appointment of Baron Münchausen as Civil Commissary. I have now to report the nomination of Major-General de Knesebeck, an officer well spoken of, to the command of the Corps of Hanoverian troops for the Execution.

This Corps, as I have previously mentioned, will consist of four battalions of Infantry, three squadrons of Cavalry (Dragoons), two batteries of Artillery of four guns each, the guns of one battery being 12-pounders, and those of the other rifled 6-pounders, and of one ammunition column.

The battalions of Infantry will be brought to about 630 men each, the three squadrons of Cavalry about 360 horses together, and the Artillery to 200 men. Thus the 3,000 men will be made up.

The Hanoverian Government, in order to fit out this small Corps, have ordered the purchase of between 500 and 600 horses. It appears that their squadrons of Cavalry are now reduced to about 30 horses, and last year they sold a considerable number of horses belonging to the Artillery and waggon-train; hence the necessity for these purchases. But as the expenses of the Execution are in the first instance borne by the Confederation at large, and are subsequently to be recovered from Denmark, they will not press heavily upon the Hanoverian finances.

In case of Denmark resisting the Execution, M. Zimmermann told me a short time ago that the Hanoverian Government would be desirous of furnishing at least 10,000 men.

Your Lordship will be aware that Military Commissioners of the four States charged with the Execution (Austria, Prussia, Hanover, and Saxony) are to meet at Frankfort for the purpose of concerting the details of the arrangements connected with it. The Prussian Government have already announced to this Government the appointment of Lieutenant-General de Moltke as their Commissary, and Count Platen informs me that Major-General Schultz, who belongs to the Federal Military Commission at Frankfort, will be named Hanoverian Commissary for that service.

I have, &c.
(Signed) HENRY F. HOWARD.

No. 208.

Sir H. Howard to Earl Russell.—(Received November 2.)

My Lord, *Hanover, October* 31, 1863.

COUNT PLATEN in a conversation which I had with him yesterday, referred to a despatch which your Lordship had addressed on the 21st to Her Majesty's Minister at Frankfort, and in which you propose, on the one side, that all questions concerning the finances and legislation of the Duchies of Holstein and Lauenburg should be regulated according to the laws of the German Confederation; and, on the other, that the international questions should be submitted to the mediation of friendly Powers.

His Excellency expressed his satisfaction that your Lordship's views should thus approximate, in a greater degree, to those of the Diet, and said that he believed if a fair and more detailed basis of negotiation were put forward, the Diet would be disposed to accept a mediation as proposed by your Lordship on the international question.

I have, &c.
(Signed) HENRY F. HOWARD.

No. 209.

Mr. Ward to Earl Russell.—(Received November 2.)

(Extract.) *Hamburgh, October 31, 1863.*

THE answer made by Denmark on the 29th to the Resolution of the Federal Diet threatening an Execution was known here yesterday. Information has also been received here of the contents of your Lordship's despatch to Frankfort of the 21st instant, proposing to leave to the disposition of the Federal laws the constitutional questions affecting the German Duchies, and at the same time to refer the international part of the case, viz., that touching Schleswig, to the mediation of friendly non-German Powers.

Having since had an opportunity of speaking to Mr. Syndic Merck and other leading men here who take a strong interest in the adjustment of the differences between Denmark and the Duchies, I sounded them as to what impression had been made upon them by the documents abovementioned. They said they could not but recognize and gratefully acknowledge the continued exertions of Her Majesty's Government for the preservation of peace; but that all mediation in respect of Schleswig would prove fruitless if the Danish Government should succeed in carrying the project for the new joint Constitution for Denmark and Schleswig now before the Council of State, and that it appeared most important to arrest that measure, the Committee having made its report upon it, and the debate on the second reading being expected to come on next week. There could be no mediation on the basis of a Constitution which should practically incorporate Schleswig with the Kingdom, for the King of Denmark stands pledged neither to incorporate Schleswig nor to take any step whatever towards that object. It is evident, therefore, that if a mediation internationally should be adopted, the question of the Constitutional position of Schleswig ought to be left entirely to that mediation.

The Danish answer in regard to Holstein is considered here as equivocal, because, instead of offering to revoke the Ordinance of March 30, it merely consents to negotiate with a view to a revision of that Ordinance. If Denmark would agree to annul the Ordinance, and to give up the project of the joint Constitution for the Kingdom and Schleswig, matters might be easily put into a train of settlement. This is clear from a lately published correspondence between the Baron Blixen-Finecke and the Prussian Minister-President, M. de Bismarck. By abandoning the project (the passing of which seems not at all certain), the Danish Cabinet would evince a real desire of conciliation, and save itself from many future embarrassments. The project, even if desirable in itself, has been brought forward most inopportunely at the present conjuncture.

No. 210.

Sir A. Malet to Earl Russell.—(Received November 3.)

My Lord, *Frankfort, October 30, 1863.*

IN the sitting of the Diet held yesterday, your Lordship's despatch of the 21st instant concerning the question of Holstein and Lauenburg was laid before the Assembly. This despatch was referred in the same manner as has been the case with the previous communications on the same subject which I have had the honour of making to the President, by your Lordship's instructions, to the joint Committees.

I have, &c.
(Signed) A. MALET.

No. 211.

Sir A. Malet to Earl Russell.—(Received November 3.)

My Lord, *Frankfort, October 30, 1863.*

I HAVE the honour to acquaint your Lordship that, in yesterday's sitting of the Diet, the Danish Envoy prefaced the communication of the reply of his Government to the Diet's Decree of the 1st of October by a declaration that the Danish Government concurred in the views expressed in your Lordship's despatch of the 29th of September, which, by your Lordship's instructions, I had presented to the President, and the reply to which I had the honour of transmitting to your Lordship in my despatch of the 23rd instant.

I have, &c.
(Signed) A. MALET.

No. 212.

Sir A. Malet to Earl Russell.—(*Received November* 3.)

My Lord, *Frankfort, October* 30, 1863.

THE Danish Envoy to the Diet returned to Frankfort early this week, and was good enough on Wednesday last to make me acquainted with the tenour of the reply he had to give the Diet on behalf of his Government to their summons to withdraw the Ordonnance of the 30th of March.

Your Lordship has doubtless received that document from Copenhagen, and it is therefore unnecessary for me to annex a copy.

Baron Dirchinck-Holmfeld laid this answer before the Diet yesterday, and I have been occupied to-day ascertaining how it has been received.

As a matter of form, the answer is referred to the joint Committees.

The impressions of the members of the Diet, which I have the honour to report to your Lordship as far as I can gather them directly or indirectly, so immediately after their becoming acquainted with this document, are, I regret to say, unfavourable.

The general opinion seems to be, that it is a fresh attempt of the Copenhagen Cabinet to gain time by negotiation, and the sincerity of the Danish Government is called in question.

It is also remarked that the Patent or Ordinance of the 30th of March is not frankly withdrawn, as the Diet required, inasmuch as the Danish reply only says it shall be considered as provisional, whereas abrogation was demanded.

In short, I am bound to acquaint your Lordship that although the conciliatory tone of the Danish communication is recognized, nevertheless if the individual opinions of the members of the Diet are to dictate the ultimate decision of that Body, there seems reason to apprehend that they will say they find no sufficient ground in the Danish reply presented on the 29th instant for arresting Execution in Holstein and Lauenburg.

I have, &c.

(Signed) A. MALET.

No. 213.

Sir A. Malet to Earl Russell.—(*Received November* 3.)

My Lord, *Frankfort, October* 30, 1863.

THE Saxon Government notified the appointment of M. de Könneritz as Commissioner for the projected Execution in Holstein, in the Diet's sitting held yesterday; and the Hanoverian Government declared that they had named Baron Alexander von Münchausen in a similar character, in conformity with the Diet's Decree of the 1st of October.

I have, &c.

(Signed) A. MALET.

No. 214.

Lord A. Loftus to Earl Russell.—(*Received November* 3.)

My Lord, *Munich, October* 27, 1863.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 16th instant,* and in obedience to the instructions therein contained, I have placed in the hands of Baron Schrenk a copy of the despatch which your Lordship addressed to Her Majesty's Ambassadors at Berlin and Vienna on the 27th of May last, respecting the question of Federal Execution in Holstein.

I had on this, as on a previous occasion, some conversation with Baron Schrenk on the gravity of the decision of the Germanic Diet to resort to Federal Execution in the German Duchies of the King of Denmark as a means of solving differences which it was rather the interest of all parties to arrange by amicable negotiation.

I pointed out to his Excellency that at the present moment, when all the Powers of Europe were so vitally interested in the maintenance of peace, when it was their constant endeavour to solve all questions of differences or disputes by means of friendly negotiation rather than by a hasty recourse to violent measures,—at a moment, also, when the public

* No. 163.

mind of Germany was disquieted by internal political questions, which threatened to produce discord and disunion among the several States of the Confederation; at such a moment it was surely most impolitic to light up a war between Germany and Denmark, the consequences of which might be fatal to the general peace of Europe.

His Excellency replied that certainly no one would regret more than himself if war were to arise out of these complications, and he even admitted that the object to be gained was not commensurate with the evils which it might produce. But still, said his Excellency, "we cannot recede ('nous ne pouvous pas reculer')—our honour is engaged; and if we were now to draw back we should be disgraced in the eyes of the German nation, and we should justly expose ourselves to the reproach of cowardice. The question," said his Excellency, "is one of a purely German character, and after twelve years of patient forbearance the German Diet can no longer submit to the delays and evasions with which its decrees have been met by the Danish Government. The Federal Execution," he added, "would be easily avoided if Denmark would comply with the demands of the Diet, and if she failed to do so there was no other course open for the Diet than to proceed to a Federal Execution."

I observed to his Excellency that the claims of the Confederation in Holstein and Lauenburg had been fully admitted by your Lordship. Even lately in a despatch addressed to Her Majesty's Minister at Frankfort, which had appeared in the German newspapers, your Lordship had stated that had the representations of the Diet been strictly limited to those questions regarding the German Duchies in which the Diet had a legal right to interfere, Her Majesty's Government, however lamenting its interference at this particular time, could not have denied the validity of the grounds on which the Diet acted. But I must observe to his Excellency that the German Diet had not consistently held to the grounds on which it had based its original reclamations against Denmark. When in 1858 the German Duchies were eliminated from the action of the General Constitution, no question was raised regarding Schleswig. But in 1861 Austria and Prussia declined to negotiate on the affairs of Holstein without comprising also those of Schleswig, and to the extension thus arbitrarily given to the questions at issue between Germany and Denmark, the present unfortunate complications were now owing.

Baron Schrenk could not deny the truth of my observation, and expressed a regret that the questions relating to the German Duchies, which were of a purely German nature, should have been mixed up with the question of Schleswig, which he admitted to be one of an international character. But in making this distinction his Excellency observed that promises had been given by the King of Denmark in 1851 and 1852 to Germany, the due fulfilment of which Germany was entitled to claim.

Baron Schrenk stated that a Federal Execution, which after all was but the carrying out of a judicial sentence, ought not to be viewed as an act of war, nor should it lead to war. If Denmark should unhappily proceed to hostilities, the responsibility of such a course would lie wholly with her.

I replied to his Excellency that it was all very well to talk of a military occupation of the German Duchies as the mere execution of a judicial sentence, and not as an act of hostility. It would, I observed, be very easy for the German troops to enter the Duchies, but would it be so easy for them to withdraw? Denmark may retort by measures of reprisal and blockade very injurious to German commerce, which would give rise to much exasperation, and the quarrel thus envenomed would assume larger and more dangerous proportions. If hostilities were continued, who could say to what extent they might be driven, and if the integrity and independence of the Danish Monarchy should be thereby menaced, the engagements taken in the Treaty of 1852 by Great Britain and France, as well as by Austria and Prussia, would be called into vigour. Thus fresh complications would arise which might cause serious disturbance to the peaceful relations of the Powers of Europe. On these grounds, therefore, and in the interest of Germany as well as of Europe, I again appealed to his Excellency to use his influence, both at Berlin and Vienna, with a view to a postponement of the Federal Execution, in the hope that through peaceful negotiation the legal demands of the Diet may be satisfied without resorting to a measure which would be fraught with danger to the general peace.

His Excellency, however, declined taking any steps in the above sense, and declared with more than his usual animation that unless Denmark yielded to the demand of the Diet by withdrawing the Ordinance of the 30th March, the Diet must carry out the Federal Execution at whatsoever risk or peril. Germany, his Excellency said, could not now recede from the decision it had taken without incurring dishonour and discredit both in the eyes of Europe and of the German nation.

I have, &c.,
(Signed) AUGUSTUS LOFTUS.

No. 215.

Earl Russell to Sir A. Buchanan.

Sir, *Foreign Office, November* 4, 1863.

I HAVE received and laid before the Queen your Excellency's despatch of the 30th ultimo, giving an account of your recent proceedings in regard to the question of the Danish Duchies, and I have to state to you that Her Majesty's Government approve the steps you have taken and the language you have held on this subject.

I am, &c.

(Signed) RUSSELL.

No. 216.

Earl Russell to Sir A. Paget.

Sir, *Foreign Office, November* 4, 1863.

I HAVE received your despatch of the 28th ultimo, and in reply I have to inform you that Her Majesty's Government approve of the language which you state you held to your German colleagues on the subject of the Danish Duchies question.

I am, &c.

(Signed) RUSSELL.

No. 217.

Earl Russell to Sir A. Paget.

Sir, *Foreign Office, November* 4, 1863.

AT the stage at which the discussions between Denmark and Germany have now arrived, Her Majesty's Government are of opinion that the Danish Government should not insist upon points of mere form, but should of its own accord announce at Frankfort that without the consent of the Diet of Holstein none of the revenues of that Duchy, whether described as constituting the Normal Budget or by any other denomination, shall be expended.

It appears that the Danish Government are anxious in any declaration that it may make on this subject to insert a reservation to the effect that Holstein shall nevertheless provide for the share of the National Debt chargeable to the account of the Duchy.

Her Majesty's Government, however, consider that any reserve on that point should be couched in the most general terms, leaving the sums to be appropriated to depend on the votes of the Diet of Holstein.

I am, &c.

(Signed) RUSSELL.

No. 218.

Sir A. Paget to Earl Russell.—(Received November 5.)

My Lord, *Copenhagen, November* 2, 1863.

I HAVE the honour to transmit herewith to your Lordship, a copy of an instruction which has been addressed by M. Hall to M. de Quaade, the Danish Minister at Berlin, in reply to the inquiry made by M. de Bismarck as to whether the Danish Government would be prepared to submit the Normal Budget to the vote of the Holstein States.

A copy of this instruction has been sent to the Danish Minister at Frankfort with orders to conform his language to it, in the event of any inquiries being addressed to him on this subject by the Diet.

As M. Hall's time is completely taken up to-day by his attendance in the Rigsraad, I have seen M. Vedel, the Under-Secretary for Foreign Affairs, with a view of obtaining an explanation on the phrase, "Le Budget de l'exercice prochain serait par conséquent soumis au vote délibératif des Etats Holsteinois." I said that what I understood M. de Bismarck to wish, and what I was certainly under the impression M. Hall had consented to, was not a concession for the future, but that it was to have immediate effect. I said that Germany

complained that they got nothing but promises from Denmark, and that in order to prevent the Execution, some positive act, in the opinion of M. de Bismarck, was necessary.

M. Vedel replied that before the Estates of Holstein could be assembled, the present financial period would be so near its end (it finishes the 31st of March next), that there would be in reality very little for them to vote upon in connection with it. Their vote could not of course have a retroactive effect, and money which had already been spent be refunded. There were certain branches of the interior administration, independently of the Civil list and public debt, which must be provided for. The Government could not lock up the Treasury, and say to the different employés that they were to receive no salary till the Holstein States had voted it.

Until the Execution was set aside, of course the Estates could not be assembled, and it was very unlikely therefore that arrangements would be so far completed with Germany, as to render this possible before January. What, therefore, would remain of the present Budget for the Estates to vote upon? The dividends of the public debt became due in December.

The Government considered, therefore, M. Vedel said, that by announcing their willingness to submit for the future the whole of the contributive share of Holstein to the common expenses, whether under the denomination of Normal Budget or otherwise to the vote of the Estates, if called upon to do so by the Diet, and, when the proper time should come, before the expiration of the present financial period, they did in effect submit the Budget for the next financial period to the deliberative vote of the Estates, they would thereby be performing an act, and not simply giving a promise, and be fulfilling as they had understood them the wishes of M. de Bismarck as explained by M. de Quaade.

I said I would convey this explanation to your Lordship, and to Her Majesty's Ambassador at Berlin.

I have, &c.
(Signed) A. PAGET.

P.S.—I forward a copy of the Danish instruction and of this despatch by this evening's post to Sir A. Buchanan.

A. P.

Inclosure in No. 218.

M. Hall to M. Quaade.

Monsieur, *Copenhague, le 31 Octobre*, 1863.

DANS votre dépêche du 28 de ce mois, vous me mandez que son Excellence M. de Bismarck ne regarde pas la question que nous débattons avec l'Allemagne comme entièrement vidée sous le point de vue Fédéral, ni la perspective d'une Exécution Fédérale dans le Holstein comme écartée, tant que la compétence financière que le Gouvernement du Roi entend accorder aux Etats Holsteinois ne s'étendra pas au Budget Normal aussi bien qu'aux Budgets Supplémentaires.

Cette demande, dont M. de Bismarck ferait dépendre son attitude à Francfort, est toute nouvelle, et en même temps qu'elle va au delà du principe et des conclusions des Arrêtés Fédéraux antérieurs, son adoption créerait au Gouvernement un état de choses des plus difficiles. Nous désirons cependant vivement en arriver enfin à une position claire et précise de la question ; et si ce résultat précieux pour l'Allemagne aussi bien que pour nous pouvait être obtenu à ce prix, si la Diète adhérait à la manière de voir de M. de Bismarck, en formulant la même demande et en prévoyant de l'accomplissement de cette demande les mêmes conséquences que le fait M. de Bismarck, nous sommes disposés à y donner suite.

Je vous prie, Monsieur, de communiquer dès à présent à M. de Bismarck cette résolution du Gouvernement du Roi, mais en même temps vous appelerez son attention sur le point de vue sous lequel seul nous pourrons accorder aux Etats cette nouvelle compétence illimitée.

Le Budget de l'exercice prochain serait par conséquent soumis au vote délibératif des Etats Holsteinois, embrassant toute la part contributive du Holstein dans les affaires communes, soit que ces dépenses doivent être portées par les revenus spéciaux du Holstein, soit qu'elles puissent être défrayées par le quotepart du Duché dans les revenus communs. Mais en donnant cette largeur à la compétence des Etats, le Gouvernement n'entend pas accepter une position impossible. L'Exécution Fédérale est certes un danger et une charge pour nous, mais elle ne l'est pas sans doute pour nous seuls, et en même temps qu'elle aurait ses désagréments pour nous, elle aurait aussi pour conséquence de simplifier notre

position sous beaucoup de rapports. Ainsi tout le monde reconnaîtra, j'en suis sûr, qu'il vaudrait bien mieux pour nous d'être empêchés par une Exécution de gouverner le Holstein, que de rester chargés d'administrer ce pays après avoir renoncé volontairement aux moyens nécessaires pour faire face aux devoirs gouvernementaux.

Or, il y a des dépenses qui dans tout état de choses doivent être faites, et que les Etats ne pourront pas ne point consentir. Il y a des devoirs absolus pour le pays qui doivent être remplis envers le Prince, envers les créanciers de l'Etat, envers la Confédération ; il y a enfin une administration intérieure dont le maintien et la conduite régulière sont indispensables pour que la grande masse des citoyens paisibles et laborieux puisse prospérer et jouir de son travail. Tout Gouvernement admettra sans difficulté la nécessité absolue de cette manière d'envisager le pouvoir accordé à une Représentation Constitutionnelle, et si je fais valoir dans cette occasion ces principes irrécusables, c'est uniquement parceque j'entends prémunir la nouvelle phase dans laquelle notre question pourrait entrer, contre tout malentendu de nature à provoquer de nouvelles dissensions. Je ne doute pas que M. de Bismarck, aussi bien que la Diète de Francfort, ne reconnaisse la justesse de ce principe. Il doit servir de base à toute organisation Constitutionnelle, et quand il s'agit d'introduire le régime Parlementaire dans le Holstein dans la situation actuelle, il devient doublement indispensable.

J'ai, &c.

(Signé) C. HALL.

(Translation.)

Sir, *Copenhagen, October* 31, 1863.

IN your despatch of the 28th instant you inform me that his Excellency M. de Bismarck does not consider the question which we are debating with Germany as being entirely exhausted from the Federal point of view nor the prospect of a Federal Execution in Holstein as being set aside so long as the competency in matters of finance which the King's Government contemplates granting to the States of Holstein is not extended to the normal Budgets as well as to the supplementary Budgets.

This demand, on which M. de Bismarck makes his attitude at Frankfort to depend, is entirely new, and whilst it goes far beyond the principle and conclusions of the previous Federal decrees the adoption of it would create for the Government a state of affairs of the most difficult character. We desire, nevertheless, extremely to arrive at last at a clear and precise definition of the question ; and if that result, precious to Germany as well as to ourselves, could be obtained at that price should the Diet adhere to M. de Bismarck's views by advancing a like demand and by anticipating from that demand the same results as M. de Bismarck does, we are disposed to adopt it.

I request you, Sir, to communicate forthwith to M. de Bismark this determination of the King's Government, but you will at the same time call his attention to the point of view according to which alone we could concede to the States this new and unlimited competence.

The Budget for the next financial year would consequently be submitted for the deliberative vote of the Holstein States, comprising the whole contributive share of Holstein in the common affairs, whether the expenses in question are to be charged to the special revenue of Holstein, or can be defrayed out of the quota of the Duchy in the common revenues. But in giving this extension to the competence of the States, the Government does not undertake to accept an impossible position. Federal Execution is certainly a danger and an expense for us, but without doubt it is so not to us alone, and whilst it would be attended by inconvenience to us, it would also have the result of simplifying our position in many respects. Thus all the world will, I feel sure, acknowledge that it would be far better for us to be prevented by an Execution from governing Holstein than to remain charged with the administration of that country after having voluntarily surrendered the means necessary for the performance of the duties attaching to Government.

Thus there are expenses which under any circumstances must be incurred, and to which the States cannot but give their assent. There are duties incumbent on the country which must be performed as regards the Prince, as regards the creditors of the State, as regards the Confederation ; lastly, there is an internal administration the maintenance and regular carrying on of which are indispensable in order that the great mass of the peaceful and industrial classes of citizens may be able to prosper and enjoy the fruits of their labour. Every Government will admit without difficulty the absolute necessity for considering in this light the power accorded to a constitutional Representation ; and if I lay stress on this occasion on these principles, which admit of no refutation, it is only because it is my object to guard the new phase into which our question may possibly enter against every

misunderstanding calculated to provoke fresh disputes. I have no doubt that M. de Bismarck as well as the Frankfort Diet will recognize the justice of this principle. It should serve as the basis of every constitutional organization; and when the matter in question is the introduction of a Parliamentary régime into Holstein under present circumstances it becomes doubly indispensable.

I have, &c.
(Signed) C. HALL.

No. 219.

Sir A. Buchanan to Earl Russell.—(Received November 7.)

(Extract.) *Berlin, November* 5, 1863.

M. DE BISMARCK said it was desirable that a distinct offer of mediation of some kind should be forwarded to Frankfort, as the Committee of the Diet might be unwilling to report as clearly or as favourably on the suggestion which has been already made to the Diet, as to the expediency of having recourse to the good offices of neutral Powers, as they might be induced to do on a formal offer of mediation if it were under their consideration; and from what he had heard of the views of the Diet he believed the mediation of England alone would be accepted more readily than the mediation of the non-German Powers who had signed the Treaty of London.

Such being the circumstances, he said he would ask me whether I thought Her Majesty's Government might not be disposed to address a further despatch to Sir Alexander Malet, stating that the Danish Government had expressed their readiness to submit the international differences of Denmark and Germany to the mediation of Great Britain: and that Her Majesty's Government, convinced that the Diet were equally desirous with Denmark to bring these international differences to an amicable solution, now offered their mediation to the Diet; and that they hoped, if it was accepted, the Diet would consider it expedient to suspend the proceedings which they have taken on Federal grounds against the Duke of Holstein and Lauenburg respecting the grievances of the people of those Duchies, in order that free scope might be given to the international negotiations, and that the progress of the mediation in the international question might not be embarrassed or impeded by simultaneous proceedings on the part of the Diet in the federal one, which is so closely connected with it. He said, also, it might be useful if your Lordship were to state that Her Majesty's Government had learnt from Copenhagen that the Danish Government were about to inform the Diet that they were willing, if required, or that Her Majesty's Government had reason to believe that they were willing, if required, as the case may be, to submit, in future, to a vote of the States of Holstein the contribution of that Duchy to the general expenses of the Monarchy hitherto known as the Normal Budget; and that Her Majesty's Government hoped this concession would be accepted by the Diet as a proof of the deference of the Duke of Holstein to its authority in Federal affairs, and as a pledge that any negotiations which may take place between the Diet and the Sovereign of Holstein on this part of the question will lead to a satisfactory result.

I told his Excellency, in reply, that I could not fail to communicate his observations to your Lordship by the weekly messenger on Saturday next; but as he considers it of importance, if your Lordship adopts his suggestion, that your despatch to Sir Alexander Malet should be forwarded to Frankfort on Monday, if possible, or at latest on Tuesday next, so that it may be in the hands of the President of the Diet before the Report of the Committee can be brought up on Thursday next, the 12th instant, which it probably will be, I have thought it right to forward this despatch by special messenger to Calais.

No. 220.

Lord Bloomfield to Earl Russell.—(Received November 9.)

(Extract.) *Vienna, November* 5, 1863.

I ENDEAVOURED in the course of a conversation which I had with Count Rechberg yesterday, to learn the course likely to be pursued at Frankfort on the Danish question, but could obtain no definite information from his Excellency. He said the affair was in the hands of the Committee, and that he understood the feeling of the Diet generally was that the last Danish communication was insufficient to recall the resolution which had been issued as to the Federal Execution.

I observed that Denmark at all events gave evidence of her readiness to negotiate; that she declared the Patent of March 30th to be a provisional arrangement, and therefore susceptible of being modified so as to meet the views of the Diet on those points to which their right of interference extended, that is to say, in the affairs of the Duchies of Holstein and Lauenburg.

Count Rechberg replied that it was not likely that a final Resolution would be taken at Frankfort for another week, but that as the Danish Government had in their last communication avoided all allusion to their engagements of 1851 and 1852, and also of 1858, and declined even suspending the Edict regulating the National Representation in Holstein, and had thus broken the promise to Germany that Denmark would not simply "octroyer" a law on this subject, he did not see how the Diet could accept this communication as a basis for negotiation.

I urged his Excellency again to consider the dangerous results that might follow an Execution; he did not seem apprehensive on the subject, and said that even if it were postponed a settlement of the question would not be thereby advanced. Denmark, on the contrary, would not be the better inclined to keep her engagements with Germany, and the whole subject would shortly have to be re-opened.

It is evident that the Austrian Government do not see in the Danish communication sufficient grounds for a compromise of the question, and that the influence of the smaller States of Germany is likely to have great weight in the final decision of the Diet.

No. 221.

Sir A. Buchanan to Earl Russell.—(*Received November 9.*)

(Extract.) *Berlin, November 7, 1863.*

WITH reference to my despatch to your Lordship of the 30th ultimo, reporting my proceedings in the Holstein question, I have the honour further to inform your Lordship that in the course of that evening I received a telegram from Sir Augustus Paget, stating that instructions would be sent to the Danish Minister at Berlin, as well as to the Danish Minister at Frankfort, to express, if asked for explanations respecting the Normal Budget, the readiness of the Danish Government to comply with any demand which might be made to them by the Diet for its suppression. These instructions, however, in consequence of the stormy weather in the Baltic, did not reach Berlin until Monday night, the 2nd instant, and in the meanwhile M. de Quaade was informed by telegraph that, in deference to his representations and those of Sir Augustus Paget, his colleague at Frankfort would not enter into details in his conversations with the President of the Diet as to the amount of the debt or other expenses which Denmark would expect Holstein to take upon herself if the Normal Budget was suppressed; but that M. de Quaade must, in order to prevent any future misunderstanding with M. de Bismarck, read to his Excellency *in extenso* M. Hall's despatch of the 31st ultimo, of which a copy was forwarded to your Lordship by Sir Augustus Paget in his despatch of the 2nd instant.

I saw M. de Bismarck on the 2nd instant, and I acquainted his Excellency with my own and M. de Quaade's telegraphic intelligence from Copenhagen. He said that the members of the Committee of the Diet seemed unwilling to accept any declarations of Denmark as satisfactory which did not clearly grant the concessions required from her by the Federal Decree of the 1st of October.

On the 3rd instant the Danish Minister waited upon his Excellency, and read to him M. Hall's despatch.

M. de Quaade afterwards reported to me what had passed, and stated that M. de Bismarck, though at first disposed to cavil at what he called Denmark's offering with one hand what she proposed to take away with the other, subsequently admitted that Holstein must of course provide for the expenses of the administration and for the military establishments of the Duchy, and that if the amount of the expenditure necessary for those purposes was left to the decision of the States, no objection could be made to it. He said, however, that the feeling in the Committee of the Diet was so opposed to any compromise as to the satisfaction required from Denmark.

On the morning of the 4th instant, having learnt in the Foreign Department that the Report of the Committee would not be brought up for another week, I telegraphed this information to Sir Augustus Paget, observing that Denmark would therefore have time, in the interval, to inform the Diet that she intends to submit the Normal Budget to the Holstein States.

I received a communication in reply, of which Sir Augustus Paget had also forwarded a

copy to your Lordship, informing me thatM. Hall would acquaint the Commi intentions of the Danish Government, if he obtained the consent of the King and of his colleagues; and as I had reason to believe that the Diet might not consider themselves obliged to receive such a communication, I forwarded to Sir Augustus Paget a telegram stating that the declaration should be made to the Diet itself at its next sitting, because the Diet is the only recognized channel for making communications to the Committee.

On the 5th instant, Sir Augustus Paget replied that the Danish Government believed there were precedents for addressing direct communications to the Committee, and that as they considered that course the most expedient, they would adopt it. I therefore had the question examined, and forwarded a telegram to Sir Augustus Paget on the 6th instant, pointing out that the precedent to which the Danish Government probably alluded was one in which the Danish Minister had given explanations to the Diet in 1858, in consequence of a Federal Resolution; or to another in which the Danish Minister had addressed a note to the Committee in 1859, which having perhaps in some degree been connected with the former one, might be equally open to objection as a precedent; and I informed him, at the same time, that some members of the Committeee were anxious that the Report should be brought up on Thursday next, the 12th instant.

No. 222.

Earl Russell to Sir A. Buchanan.

(Extract.) *Foreign Office, November* 9, 1863.

IF the information which has reached Her Majesty's Government from Vienna is correct, M. de Bismarck no longer offers any objection to Federal Execution in Holstein.

On the other hand, Her Majesty's Government are informed that the Austrian Minister at Frankfort is instructed to conform his conduct to that of his Prussian colleague.

It is indeed not to be supposed that if Austria and Prussia were to agree in recommending Execution to be stayed, the minor States of Germany would persist in carrying out that measure.

As matters now stand, Her Majesty's Government have come to the conclusion that it is inexpedient for them, at all events for the present, to make any further proposal to the Diet; although if the Governments of Austria and Prussia were to unite in inviting them to do so, and would undertake to support with all their influence at Frankfort a proposal which Her Majesty's Government might then make to the Diet, Her Majesty's Government, in their anxiety to spare no effort to avert from Germany the consequences which perseverance in her present course in regard to Holstein threatens to bring upon her, would not be indisposed to make a further attempt.

But at present Her Majesty's Government can only leave to Germany the responsibility of risking a general war in Europe, which the Diet seems to be so bent on provoking.

No. 223.

Sir A. Malet to Earl Russell.—(Received November 11.)

(Extract.) *Frankfort, November* 9, 1863.

STRESS of weather in the Channel on the night of Wednesday last caused a delay of some thirteen hours in my receipt of despatches, so that your Lordship's of the 30th October, instead of coming to hand on Thursday night, did not reach me till mid-day on Friday the 6th instant.

On the following morning I got sight of the Danish despatch of the 31st ultimo* from M. Hall to the Danish Envoy at Berlin, which embodies the more extended concessions to Holstein regarding the Normal Budget, &c., to which your Lordship's latter despatch of the above date relates.

I at once saw that the point to be attended to in this overture of the Danish Government was to ascertain whether the Diet would be moved to make the requisition on the Danish Government, which M. Hall's despatch said would be met by the surrender to the Diet of Holstein of the entire control over the finances of the Duchy, including the Normal Budget.

* Inclosure in No. 218.

I regret having to inform your Lordship that the Diet will make no farther demand on Denmark; that is to say, I have learnt that the joint Committees will not invite the Diet to take any step of the kind, and there are no other means, in the present stage of this question, of initiating such a measure.

With reference to M. Hall's despatch at present referred to, I found that the substance of it had been laid before the joint Committees, and that in the unanimous judgment of the Members, the concessions offered were clogged with conditions which made them wholly unacceptable.

This latter point was unmistakeably intimated to me, on my inquiry whether by laying the proposals of M. Hall's despatch before the Diet by the Danish-Holstein Minister, the difficulty of inducing the Diet to require the concession could be obviated.

What the Diet requires is, the unconditional repeal by Denmark of the Patent of March 30th.

No. 224.

Earl Russell to Sir A. Buchanan.

(Extract.) *Foreign Office, November* 13, 1863.

IT is clear that Her Majesty's Government cannot expose themselves to another refusal of their suggested mediation at Frankfort. It would not be enough that Prussia should support the proposal of Great Britain, or that the Diet should put forth conditions for their assent which Denmark would refuse.

Her Majesty's Government have no immediate interest in this question. Their interest is bound up with the general interest of Europe.

The line which Her Majesty's Government have taken upon this question is clear and distinct. They think that the Federal question in Holstein should be settled according to Federal laws, and in conformity with the views of the Federal Diet.

But the German Diet have unfortunately mixed this purely Federal question with those of the general Constitution of the Danish Monarchy and the position of Schleswig.

It is obvious that these are international questions, and as they are also questions of great difficulty upon which passion has been listened to and reason has been disregarded, it is very desirable that Powers neither German nor Danish should be permitted to mediate upon them.

The German Diet have refused the mediation suggested by Great Britain. They had a full right to do so.

But Great Britain has also the right to reserve any further interference till a prospect shall arise of such interference being salutary and effectual.

No. 225.

Sir A. Malet to Earl Russell.—(Received November 14.)

My Lord, *Frankfort, November* 13, 1863.

I HAD the honour last night of receiving from your Lordship a copy of the despatch from M. Hall to the Danish Minister at Berlin,* which was the same which had been already shown to me by Baron de Dirchinck-Holmfeld, and which formed the subject of my despatch of the 9th instant, in which I acquainted your Lordship that I had learnt that the Committees would not recommend the Diet to take the initiative in any requisition on Denmark, and moreover that the concession of the Normal Budget was clogged with conditions which rendered it unacceptable.

M. de Dirchinck called on me on Wednesday with a fresh despatch from M. Hall dated the 8th instant,† which he was directed to take the initiative in presenting to the Diet. This despatch contained the concession of the Normal Budget, and was less precise as to what conditions were to be imposed on Holstein in exchange.

M. de Dirchinck had already given a copy to the President of the Diet, with the view of having it communicated to the Committees. To-day I have had another visit from his Excellency, who has received a note from the President to the effect that the Committees cannot in the present stage of the affair entertain his communication.

M. de Dirchinck has therefore invited the President to convoke an extraordinary sitting of the Diet for to-morrow to receive this communication.

* Inclosure in No. 218.

† Inclosure in No. 227.

The President's note leaves it to be inferred that the refusal of the Committees a matter of form, and that any further communication must pass through the Diet, *i. e.*, the Diet must decide by a vote whether the matter is of a nature to be laid before the Committees.

M. de Dirchinck is rather inclined to complain of the President for having exposed him to the refusal of the Committees to accept his communication, as it was competent to him in the first place to have asked the President to convoke a sitting of the Diet, but it would seem the President himself was not sure what the Committees would do in the matter, and that their competence in such a case is facultative.

It will be far more grave if the Diet refuses to refer the matter to the Committee, and this may possibly happen.

I have, &c.
(Signed) A. MALET.

No. 226.

Mr. Jerningham to Earl Russell.—(*Received November* 16.)

(Extract.) *Stockholm, November* 9, 1863.

I LEARN from my French colleague that, having heard it was intended by this Government to sign the defensive Treaty with Denmark in spite of the present more pacific aspect of the Danish question, he had made an inquiry of Count Manderström upon the subject, when his Excellency forcibly denied the allegation, observing that there was no more present intention of signing the Treaty than during the last five or six weeks.

No. 227.

Sir A. Paget to Earl Russell.—(*Received November* 16.)

(Extract.) *Copenhagen, November* 11, 1863.

THE Danish Government having determined to relinquish the Normal Budget for Holstein, and to submit to the vote of the Estates the whole share of Holstein in the common revenue and expenditure, the manner in which intimation of this concession was to be conveyed to the Diet might have been supposed to be a matter not likely to give rise to much discussion. The decision upon this question has, however, not been unattended with difficulty. Prepared to yield the point on being summoned to do so by the Diet, the Danish Cabinet was very unwilling to take the initiative in a step which, while subjecting the Common Treasury to the risk of losing a part of the revenue, conceded more than had yet been required of them by the Decrees of the Diet.

I stated to your Lordship in my despatch of the 29th ultimo, that I had reason to believe that M. Hall would send a despatch to the Danish Minister at Frankfort to enable him, if questioned, to give satisfactory information as to the favourable dispositions of his Government in this matter, but on calling on his Excellency the following day I found to my regret that this determination had been changed. M. Hall was of opinion that as the negotiations on this subject had been opened between Her Majesty's Ambassador and the Danish Minister at Berlin and M. de Bismarck, they should be continued in the same channel. I informed his Excellency that I had already acquainted Sir Andrew Buchanan by telegraph with the willingness of the Danish Government to make the concession suggested, if required to do so; that I had since learnt from Sir Andrew Buchanan that he had imparted this information to M. de Bismarck, who had undertaken to communicate it to the Committee of the Diet, and to recommend it to their favourable consideration; but I still pressed his Excellency to send the proposed instruction to the King's Representative at Frankfort. On the following day, the 31st ultimo, an instruction (of which I transmitted to your Lordship a copy in my despatch of the 2nd instant) was sent to M. Quaade, the Danish Minister at Berlin, and a copy of it was forwarded at the same time to his colleague at Frankfort, with orders to conform his language to it, if any inquiries were addressed to him by the Committee of the Diet on the subject to which it refers.

I suggested the following plan as calculated to allay any scruples the Danish Government might entertain as to taking the initiative in this matter, and to secure the object

desired. The communication now to be addressed to the Diet, I said, might be made in the form of an explanation of the declaration made on the 29th of October last. The Danish Government might instruct their Minister at Frankfort to say that having learnt through a friendly Government that the Diet did not fully understand the extent to which they were prepared to go in fulfilment of the promise, contained in the Declaration of the 29th of October, of granting complete independence, &c., to Holstein, and that as long as the Holstein Estates had not the right of voting the items which now appeared in the Normal Budget, as well as every other, the Execution could not be prevented, they (the Danish Government) now desired to explain that they were prepared to give the Estates this financial competency.

M. Vedel at once adhered to this proposal which, as your Lordship will see, has been adopted in the instruction, and said he would submit it to M. Hall. If his Excellency and the other members agreed to it, Baron Dirchinck-Holmfeldt should at once receive orders to make the communication to the Committee of the Diet.

With regard to the reserves respecting the national debt, &c., I am bound to say that I found M. Vedel most favourably disposed, and he himself volunteered to say that he thought they should be spoken of in general terms.

I trust your Lordship will be satisfied with the conciliatory form of the present communication. The Danish Government was naturally anxious that there should be no misunderstanding as to their looking to the Execution being stopped as the necessary consequence and condition of the concession. They require, too, before formally notifying the concession of the Diet, that the Diet should either by decree or in some other shape make known their wishes on the subject, but by doing so they distinctly recognize the Federal authority over Holstein, and give proof of their readiness to submit to it. Moreover, without knowing the wishes of the Confederation on the subject, they might be exposing themselves to make gratuitously the sacrifice of revenue which the concession may possibly entail.

Finally, the reserves mentioned in the despatch to M. de Quaade of the 31st of October are only here alluded to in the most general terms.

Inclosure in No. 227.

M. Hall to Baron Dirchinck-Holmfeldt.

(Translation.) *Copenhagen, November* 8, 1863.

WE have learnt through a confidential communication from a friendly Government, that a doubt has arisen respecting the meaning and extent of our declaration of the 29th October, and that so long as the constitutional competence accorded to the Holstein States does not equally include the items of the Normal Budget which concern the Duchy, a guarantee for the desired independence of the Federal territory sufficiently satisfactory as to admit of the Executive measure being laid aside as useless, cannot be found in our declaration.

The demand that the Normal Budget shall as far as it concerns Holstein be suspended, undoubtedly exceeds the limits of the Federal Resolutions before us, for hitherto there has never been question of more than that the same financial competence for Holstein should be granted to the Holstein States as is exercised by the Rigsraad for the non-German parts of the Monarchy, and for this last-named body the Normal Budget is still in force,

The demand now advanced is consequently of deep significance, and if at the time when the control of the expenditure belonged to but one and the same Assembly, the establishment of a Normal Budget was already regarded as a necessary condition, the maintenance of it now would appear to have become the more necessary since the constitutional competence is to be granted to two different Assemblies.

However, the Royal Government honestly desire to do their best, in order that the question at issue may assume a simple and uninvolved character and a dangerous complication be averted.

But here there is question of an innovation, and for this reason, as well as that the Royal Government may acquire the certainty that such a step will be understood by the Diet in its true sense, and will further attain the result above alluded to, we must await a demand either from the Diet or from the Committees in order to enable us to deliver a formal declaration to the above effect.

All we can now do to allay, as far as lies in our power, the suspense of the moment, is to request your Excellency to take in due form the initiative, in order to acquaint the

united Committees at once of the eventual intentions of the Royal Government, and, in short, show them that the Royal Government will be found ready, under the above-named previsions, to declare that the future financial measures shall be laid before the Holstein States for their decision in such a manner that they will include the entire contributive quota of Holstein to the common affairs, whether the expenses in question are to be taken out of the separate receipts of the Duchy, or whether they are to be kept back out of her share in the common receipts.

I need hardly add that so important an extension of the competence of the States can, it will be understood, only take place under the necessary reserve of the fulfilment of those obligations which are imperatively binding on the State, and only on the presumption that the States will also know how to employ the competence to be thus eventually accorded to them in a loyal manner, and will not attempt to refuse the means necessary to carry on a regular Government.

I am, &c.
(Signed) C. HALL.

No. 228.

Lord Bloomfield to Earl Russell.—(*Received November* 16.)

My Lord, *Vienna, November* 12, 1863.

UPON the receipt of your Lordship's telegram of the 7th instant, in which you state that the Prussian Government think Baron Kübeck's language unfriendly to Prussian policy in the Danish question, I lost no time in requesting from Count Rechberg some explanation as to these proceedings of the President of the Diet, which appeared in contradiction to assurances that he had lately given me.

His Excellency gave me the following account of the occurrences at Frankfort: Baron Sydow had communicated verbally to the Committee of the Diet a proposal which had been made by the Danish Government with a view to prevent the projected Federal Execution.

The Danish project, Count Rechberg observed, was declared to be totally inacceptable by all the Members of the Committee, and such was the storm of disapprobation with which it was received that Baron Sydow saw no other course left to him but to withdraw the communication.

I observed to his Excellency that Prussia had shown a good spirit of conciliation in treating this question, and that Her Majesty's Government, who were always deeply interested in preventing a complication arising in the affairs of Europe, had hoped the efforts which had been made to avoid an Execution would have been attended with better results.

Count Rechberg replied that the Danish concession had most regrettably been mixed up with so many conditions, and there was so much reticence about it, that the Prussian Government after all their laudable efforts at conciliation had now given up any present expectation of arriving at an arrangement, and had charged Baron Werther with a communication in this sense. His Excellency admitted, nevertheless, that the language of the Cabinet of Copenhagen had been more moderate and conciliatory than on some previous occasions; he observed also that great praise was due to the efforts of Sir Andrew Buchanan and Sir Augustus Paget to obtain terms from Denmark that could have made negotiation possible; efforts, he said, which had deserved far greater success than had attended them.

Germany, he then remarked, must insist on the concession of certain points unfettered by such conditions as had been put forward by the Danish Government, who, he now feared, would never yield without a strong inducement to do so, and therefore he feared a Federal Execution must become inevitable.

I have, &c.
(Signed) BLOOMFIELD.

No. 229.

Lord Bloomfield to Earl Russell.—(*Received November* 16.)

My Lord, *Vienna, November* 12, 1863.

I HAVE stated to Count Rechberg that in view of the grave complications which may arise in Europe, and of the concession made by Denmark of the Normal Budget to

the Diet of Holstein, it appears to Her Majesty's Government more than ever desirable that the Federal Execution should be postponed for some months at least.

His Excellency replied that he had already informed me that the efforts of M. de Bismarck having failed to obtain from the Danish Government assurances that would satisfy the German Diet, the Prussian Government saw no present prospect of arriving at an arrangement, and therefore found no sufficient reason for delaying the Federal Execution. Under these circumstances, Count Rechberg said he could not encourage the hope of a change in the disposition of the Diet. The fault, he added, rested entirely with Denmark; she had, it was true, agreed to a concession with regard to the Normal Budget of Holstein, but she had attached conditions to that concession which were totally inacceptable by the Diet, and which, moreover, were not, as he was informed, in conformity with the assurances given by M. Hall to Sir Augustus Paget.

Count Rechberg did not expect that a further step would be taken to-day at Frankfort, but I am, however, informed that measures are being considered conjointly by Austria and Prussia to order 1,000,000 dollars out of the military chest to be advanced and placed to the credit of the intended Federal expeditionary force.

I have, &c.
(Signed) BLOOMFIELD.

No. 230.

Sir A. Buchanan to Earl Russell.—(Received November 16.)

(Extract.) *Berlin, November 14, 1863.*

I HAVE had the honour to receive your Lordship's despatch of the 9th instant, in which your Lordship acquaints me with the grounds on which Her Majesty's Government have come to the conclusion that it is inexpedient for them to make any further proposals to the Diet at Frankfort, with a view to averting from Germany the consequences which a perseverance in her present course as regards Holstein threatens to bring upon her; and that Her Majesty's Government will remain passive, at all events for the present, unless the Governments of Austria and Prussia were to unite in inviting them to make a new proposal to the Diet, and would undertake to support it with all their influence at Frankfort.

I read your Lordship's despatch to M. de Bismarck. His Excellency observed that Her Majesty's Government did not seem to have been correctly informed as to the position of the Prussian Government in this question. They had necessarily joined the other Governments of the Confederation in ordering the Execution, and would also be obliged to support it by Prussian troops, if the small Hanoverian and Saxon corps under orders to carry out the Federal Decree of the 1st of October, entered Holstein and met with resistance on the part of the Danish Government. Prussia, therefore, while ready to act up to her Federal duties in case of necessity, could only prevent the Execution by inducing the Diet to take into their favourable consideration the declaration of the Danish Government with respect to the Normal Budget, as a proof of the sincerity of the assurances contained in the Danish answer to the Decree of the Diet of October 1, 1863, and even on that point, he said, much must depend on the language employed in the Danish communication, as, if it were not the same as that which he had agreed with me to consider satisfactory, he might see cause to object to it, without in any way violating his engagements to me, as he did not mean to state to the Diet that Denmark, in what she proposed to do was granting all that the Diet could require from her; but that what he expected her to do, might be accepted as a proof of her sincerity, and as a pledge that in the event of the Diet suspending the Execution, and entering afterwards into negotiations with her, as to the rights of Holstein, she would comply with any reasonable demands which they might address to her.

After these observations I asked his Excellency what prospect there was now of Austria and Prussia fulfilling the condition which your Lordship has attached to any further action on the part of Her Majesty's Government in this question. His Excellency replied that he could only speak for Prussia. All he could say was, that if your Lordship had complied with the suggestion in my despatch of the 5th instant, and if you had written to Sir Alexander Malet in the exact terms of that despatch, so as to bring the matter anew before the Diet in a form which, in his opinion, would have met the objections which they had raised to the previous communication made to them from Copenhagen, through M. de Sydow, the Prussian Government was prepared to give their vote in favour of the proposal, which it was hoped Her Majesty's Government would

have made, and to have supported it with all their influence; and he begged me to say that, if Her Majesty's Government would reconsider their decision, and still act upon his suggestion, their offer of mediation would be supported by Prussia; if she stood alone, which he hoped she would not do, as he felt assured she would carry a majority of the Diet with her.

I have thought it right, my Lord, from a mere sense of justice to M. de Bismarck, to go into these details, as I believe him to have acted towards Her Majesty's Government with perfect good faith. Before closing this despatch I ought to mention that his Excellency has called my attention to the Resolution lately moved by M. Hall in the Danish Rigsraad, that the new Schleswig-Danish Constitution should come into force on the 1st of January next; and he considers that if such a resolution is maintained by Denmark, mediation would be a mockery, for it would be prejudging the question of Schleswig, or the principal point for which mediation is required.

He considers that the maintenance of the *status quo* ought to be urged upon Denmark as an indispensable condition of any mediation undertaken for the arrangement of this long-pending question.

I replied that I could not but admit that there was some ground for this opinion, but that I hoped he would not press a point on which the Danish Government would, probably, not yield, and which was not absolutely essential for securing to Schleswig any reasonable guarantees which Germany had a right to demand for her.

No. 231.

Sir H. Howard to Earl Russell.—(*Received November* 16.)

My Lord, *Hanover, November* 13, 1863.

COUNT PLATEN observed to me to-day, that the Danish Government professed to be animated by feelings of conciliation in respect to their dispute with Germany; but that the conduct of M. Hall was quite inconsistent with these professions, inasmuch as he was pressing forward the adoption in the Rigsraad, and execution of the project of a common Constitution for Denmark and Schleswig, which was tantamount to an incorporation of the latter Duchy with Denmark. Such a course, his Excellency remarked, could not fail to embitter the dispute, and he therefore trusted the influence of Her Majesty's Government would be exerted at Copenhagen in order to induce the Danish Government to suspend the carrying out of that Constitution.

I have, &c.
(Signed) HENRY F. HOWARD.

No. 232.

Sir A. Malet to Earl Russell.—(*Received November* 16.)

(Extract.) *Frankfort, November* 14, 1863.

THE Diet did not hold the usual sitting on Thursday last, but is convoked extraordinarily to-day, for the purpose reported to your Lordship in my despatch of yesterday's date.

I am detaining the messenger till the last train in the hopes of being able to acquaint your Lordship whether the Danish Envoy's communication has been received or not.

As it is evident that the concession of the Normal Budget to the decision of the Holstein States has only been made by Denmark on certain encouragement held out by M. de Bismarck, I have been at some pains to discover with what feeling the point is viewed here. I find much reserve among the members of the Diet in committing themselves to an opinion, but the impression I have hitherto received is, that even if no compensating conditions whatever were imposed, the concession is not of itself held to be enough.

The necessity of Denmark's formal submission to the Diet's demands for the repeal of the Patent of the 30th of March is still insisted on.

M. de Dirchinck, on the other hand, asserts that his Government cannot go beyond the terms of the reply already made to that demand, namely, that the Patent shall be considered as provisional.

No. 233.

Sir A. Malet to Earl Russell.—(Received November 16.)

(Extract.) *Frankfort, November 14, 1863.*

I HAVE been gratified at having the thanks of the Danish Government conveyed to me through Baron de Dirchinck-Holmfeldt for my good offices in their pending dispute with the German Confederation.

No. 234.

Sir A. Malet to Earl Russell.—(Received November 16.)

My Lord, *Frankfort, November 14, 1863.*

M. DE DIRCHINCK has just informed me that the communication referred to in my despatch of yesterday has been laid before the Diet, and referred to the joint Committees.

I have, &c.
(Signed) A. MALET.

No. 235.

*Earl Russell to Lord Bloomfield.**

My Lord, *Foreign Office, November 16, 1863.*

THE intelligence of the death of the King of Denmark and of the accession of Prince Christian to the Danish Throne will, it is to be hoped, induce the Diet at Frankfort to delay carrying into effect the proposed Federal Execution in Holstein. The new King may fairly claim to be allowed time to consider his position, and to decide upon the Ministers whom he shall call to his Council.

I am, &c.
(Signed) RUSSELL.

No. 236.

Earl Russell to Sir A. Paget.

Sir, *Foreign Office, November 17, 1863.*

I AM informed by your telegram of the 16th instant that while, on the one hand, the Prussian Government are seeking to deter the Danish Government from giving effect to the vote of the Diet in favour of the new Constitution for Denmark Proper and the Duchy of Schleswig, on the ground that it is opposed to the existing engagements of Denmark, and would prejudge the question proposed to be settled by mediation, certain parties in Denmark are, on the other hand, pressing King Christian at once to adopt the Constitution, which you describe as having the popular feeling in its favour.

It appears that the King hesitates what to do, and you suggest that if Her Majesty's Government should be of opinion that the King would do well to delay signing the new Constitution until the international question is settled by mediation, it might be desirable that you should receive instructions on the subject without delay.

Her Majesty's Government are very reluctant to interfere with regard to the Danish Constitution, and therefore I cannot instruct you to urge the King to take a course which may be very unpalatable to his subjects. At the same time, if you are questioned, you may say that as His Majesty desires, doubtless, that the proposed mediation should lead to a good result, the probability of its doing so might be greatly increased if his assent to the Constitution were to be suspended until a settlement of the international question was effected, or at least had made some progress.

I am, &c.
(Signed) RUSSELL.

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* A similar despatch was addressed to Sir A. Buchanan.

No. 237.

Earl Russell to Sir A. Paget.

Sir, *Foreign Office, November* 18, 1863.

HER Majesty's Government are given to understand by Prussia that the only mediation which the Diet of the German Confederation will be disposed to accept, with a view to a settlement of the international questions between Germany and Denmark, is that of Great Britain.

I have desired Sir Alexander Malet to endeavour to ascertain from the President of the Diet and from the Bavarian and Prussian Ministers at Frankfort, whether the Diet is really prepared to accept of British mediation in those questions, namely, first, the relations of the Duchy of Schleswig to the Kingdom of Denmark Proper and to the German Confederation; and secondly, the position of the Duchy of Holstein in the Danish Constitution.

I have informed Sir Alexander Malet that if the Diet is really so prepared, he will be instructed to offer our sole mediation; and I have now to instruct you to ascertain whether, on its part, the Danish Government would be prepared to accept it.

I have to add that Her Majesty's Government have not invited France, Russia, and Sweden to join with them in offering mediation.

I am, &c.
(Signed) RUSSELL.

No. 238.

Earl Russell to Sir A. Buchanan.

(Extract.) *Foreign Office, November* 18, 1863.

IT appears from your telegram of yesterday that on being made acquainted with the indisposition of Her Majesty's Government, as stated in my despatch of the 13th instant, to take any further steps with a view to mediation between Germany and Denmark, in consequence of the refusal of the Diet to avail themselves of it except under conditions to which Denmark would not accede, M. Bismarck observed that the last declaration made by Denmark, if unaccompanied by an offer of mediation, would not prevent the Federal Execution in Holstein from being carried out, and that such Execution at the present time would be attended with great danger, inasmuch as it would be calculated to raise the hopes of the Duke of Augustenburg, and encourage his partizans to support his claims to Holstein.

I have to state to you in reply, that Her Majesty's Government will be quite ready to offer their mediation at Frankfort, if there appears a chance of its being accepted.

With this view I have instructed Her Majesty's Minister at Frankfort to ascertain from the President of the Diet and from the Ministers of Bavaria and Prussia at Frankfort whether the Diet would be disposed to accept the sole mediation of Great Britain in the international questions on which Denmark and Germany are now at issue, namely: 1st, the relations of the Duchy of Schleswig to the Kingdom of Denmark Proper and to the German Confederation; and, 2ndly, the position of the Duchy of Holstein in the Danish Constitution.

I have informed Sir Alexander Malet that if there is a real disposition on the part of the Confederation to accept British mediation, he will be instructed to offer it to the Diet.

I have informed Sir Augustus Paget that the Prussian Government consider that the German Diet will not be disposed to accept the mediation of any other Power except Great Britain for the settlement of the international questions between Denmark and Germany, and I have desired him to ascertain whether the Danish Government would be willing to accept the single mediation of Great Britain.

I have stated to him at the same time that Her Majesty's Government have not proposed to France, Russia, and Sweden to join them in offering mediation between the parties.

No. 239.

Earl Russell to Sir A. Malet.

Sir, *Foreign Office, November* 18, 1863.

I HAVE to instruct you to ascertain from the President of the Diet and from the Ministers of Bavaria and Prussia at Frankfort, whether the Diet will be disposed to accept the sole mediation of Great Britain in the international questions on which Denmark and Germany are now at issue; namely, 1st, the relations of the Duchy of Schleswig to the Kingdom of Denmark Proper and to the Germany Confederation; and 2ndly, the position of the Duchy of Holstein in the Danish Constitution.

If it should appear that the Confederation is really so disposed, instructions will be sent to you without loss of time formally to offer a mediation to the Diet.

I have desired Sir Augustus Paget to ascertain whether the Danish Government, on its part, is willing to accept British mediation for the adjustment of those questions with the German Diet.

I am, &c.
(Signed) RUSSELL.

No. 240.

Earl Russell to Sir A. Malet.

Sir. *Foreign Office, November* 18, 1863.

I HAVE received your despatch of the 14th instant, stating that you had received the thanks of the Danish Government for your good offices to them in the question of the Danish Duchies.

Her Majesty's Government fully acknowledge your services upon this occasion, and I have to convey to you their thanks for your exertions.

I am, &c.
(Signed) RUSSELL.

No. 241.

Sir A. Malet to Earl Russell.—(Received November 19.)

My Lord, *Frankfort, November* 16, 1863.

I HAVE the honour to inclose a French translation of the communication made by the Danish Envoy on Saturday, referred to in my despatch of the 14th instant, relative to the surrender of the Normal Budget to the Holstein States by the Danish Government.

I have, &c.
(Signed) A. MALET.

Inclosure in No. 241.

*Newspaper Extract.**

CONFLIT DANO-ALLEMAND.—LA Diète Germanique a tenu hier, 14 Novembre, une séance extraordinaire à l'effet de prendre connaissance d'une nouvelle communication que le Représentant du Roi Frédéric VII de Danemarc avait à lui faire.

De deux côtés différents on veut bien nous transmettre le texte intégral et officiel de cette importante communication, que voici:—

"L'Envoyé Danois avait été chargé de porter à la connaissance des Comités institués pour la question constitutionnelle du Holstein et du Lauenbourg, les intentions que son très Haut Gouvernement a manifestées en promulguant l'Ordonnance du 8 de ce mois.

"'Mais, comme en suite de la lettre de M. le Président de la Diète Germanique, présidant les dits Comités, ces derniers, vu l'état de la question, ne se croient pas en droit de prendre connaissance de communications de l'Envoyé Royal sans y avoir été formellement invités par la Haute Assemblée, l'Envoyé ne saurait manquer de soumettre à

* For Translation, see Inclosure No. 227.

la Diète, conformément à ses nouvelles instructions, la teneur de l'Ordonnance en question.

"Grâce à la communication confidentiellement d'un Gouvernement ami, le Gouvernement Royal a appris que des doutes avaient surgi sur le sens et la portée de la Déclaration Danois du 29 Octobre, et que, aussi longtemps que les attributions constitutionnelles conférées aux Holsteinois n'embrasseraient pas en même temps les parties du Budget Normal concernant le Duché, on ne pourrait voir dans la déclaration mentionnée une garantie suffisante de l'autonomie revendiquée des pays de la Confédération pour qu'une Exécution Fédérale pût être écartée comme inutile.

"La demande tendant à la suppression du Budget Normal, autant qu'il concerne le Holstein, outrepasse évidemment les limites des Résolutions Fédérales respectives, car jusqu'ici il n'avait jamais été question que de concéder aux Etats Holsteinois les attributions financières que le Rigsraad exerce pour les parties non Allemandes de la Monarchie, et le Budget Normal est toujours obligatoire pour le Rigsraad.

"La demande soulevée actuellement a donc une haute importance, et si la fixation d'un Budget, alors même que le droit de voter les dépenses appartenait à une seule et même Assemblée, était considéré comme une condition indispensable, le maintien de ce Budget paraît être devenu aujourd'hui d'autant plus nécessaire que les attributions constitutionnelles ont été conférées à deux Assemblées différentes.

"Cependant le Gouvernement Royal veut sincèrement faire son possible pour que le différend prenne un caractère simple et non complexe, et pour qu'on prévienne des complications pleines de dangers. Mais il s'agit ici d'une démarche sans précédent; pour cette raison seule et afin que le Gouvernement Royal ait la certitude qu'une pareille démarche sera interprétée dans le sens exact par la très sérénissime Confédération et que le résultat indiqué sera atteint réellement, le Danemarc, pour pouvoir faire une déclaration de ce genre, est obligé d'attendre qu'il y ait été invité ou par la Diète Germanique ou par les Comités réunis.

"Ce que le Gouvernement Royal croit pouvoir faire dès à présent, dans le but d'atténuer, autant qu'il dépend de lui, la tension momentanée, c'est autoriser l'Envoyé à prendre l'initiative d'une façon opportune pour informer les Comités des intentions éventuelles du Danemarc et leur signifier notamment que, sous les conditions indiquées, le Gouvernement Royal est prêt à déclarer que les lois financières à venir seront soumises à la sanction des Etats Holsteinois de telle manière qu'elles embrasseront toute la part de contribution du Holstein aux affaires communes, soit que les dépenses respectives doivent être prélevées sur les recettes spéciales du Duché, soit qu'elles doivent être couvertes au moyen de la part du Holstein aux recettes communes.

"Le Gouvernement Royal n'a pas besoin, sans doute, d'ajouter qu'une extension aussi considérable de la compétence des Etats Holsteinois ne peut avoir lieu naturellement que sous la réserve nécessaire de l'accomplissement des obligations incontestables du Duché envers le Royaume, et à condition que les Etats sauront profiter loyablement des attributions qui leur auront été conférées de la sorte et ne refuseront point les sommes nécessaires à la marche d'un Gouvernement régulier."

No. 242.

Sir A. Malet to Earl Russell.—(*Received November* 19.)

My Lord, *Frankfort, November* 17, 1863.

THE death of the King of Denmark is an event likely to create new complications in the Holstein question.

The Diet never recognized the right of Succession to the Danish Throne and the States united under that sceptre, as established by the London Convention of the 8th of May, 1852; and it is more than probable that claims will be put forward on behalf of the family of Schleswig-Holstein-Sonderburg-Augustenburg, which that Treaty set aside in favour of the Glücksburg branch of the same family.

The German Diet can pretend to no right of intervention as to the Succession established to the Throne of Denmark Proper, but pretensions may, and probably will, be put forward in behalf of the Augustenburg Succession to Holstein, and this is the more likely because under that branch the Dukedoms of Holstein and Schleswig were united, and would be so again if that right could be established.

By the Warsaw Treaty of the 5th of June, 1851, Russia guaranteed the integrity of the Danish Monarchy, and the London Protocol of 1852 bound the Powers which signed that act to recognize the right of Succession of the Glücksburg branch to the Throne, but did not adopt the Russian guarantee.

The German Diet may say that Christian IX has no hereditary rights as Duke of Holstein, and argue that as the Duke of Holstein is also Duke of Schleswig, neither can His Danish Majesty be Duke of the latter province.

It is worthy of notice that some of the German papers are already insisting on the necessity of pressing the Execution in Holstein as much as possible, in order to prevent the establishment of the new King of Denmark's authority as Duke in that Province.

Your Lordship is aware of the protection and countenance which the Augustenburg family have always found in Prussia, and although that Government signed the Treaty of London it is generally believed in Germany that the Berlin Cabinet would see with pleasure any opening for the establishment of the ancient hereditary rights of that House in Holstein and Schleswig.

It is quite certain that other members of the Diet (Bavaria may be specially instanced) have looked forward to the possibility of the event which has now happened, by the death of the King of Denmark, as giving occasion to assert the Augustenburg claims; and Her Majesty's Government must, I apprehend, be prepared to see them put forwardin this conjuncture in some shape that will add to existing political embarrassments.

I have already tried to impress on the members of the Diet with whom I have spoken on this subject, that the accession of King Christian IX imposes on the Diet the duty and necessity of delay in the measure of Execution, by the strongest motives of international comity and prudence.

I have, &c.
(Signed) A. MALET.

No. 243.

Earl Russell to Sir A. Malet.

Sir, *Foreign Office, November 19, 1863.*

YOU are, I suppose, aware that the Treaty of London of May 8, 1852, framed for the purpose of regulating the Succession of all the States united under the sceptre of the late King of Denmark, was signed and ratified by Austria and Prussia, and that Hanover, Saxony, Wurtemburg, and Oldenburg, as well as many non-German States, afterwards acceded to the said Treaty.

I am, &c.
(Signed) RUSSELL.

No. 244.

Sir A. Paget to Earl Russell.—(Received November 20.)

My Lord, *Copenhagen, November 17, 1863.*

I HAVE the honour to transmit herewith to your Lordship translation of the Proclamation issued by King Christian IX on his accession to the Throne of Denmark, and of His Majesty's Message to the Rigsraad.

I have, &c.
(Signed) A. PAGET.

Inclosure 1 in No. 244.

Extract from the "Berlingske Tidende" of November 16, 1863.

(Translation.)

Letters-Patent by which the Accession of King Christian IX to the Throne is made known.

WE, Christian IX, by the grace of God King of Denmark, the Vandals, and the Goths, Duke of Schleswig, Holstein, Stormörn, Ditmarches, Lauenburg, and Oldenburg, hereby make known:—

The hard fate which has so unexpectedly visited our Fatherland in that the Almighty has called King Frederick VII to his forefathers could not have affected any one more painfully than ourselves, because no one of his subjects owed him more than We do, called to be his successor.

Entering upon the solemn duty which Providence has charged us with, our first resolution is inviolably to maintain the Constitutional laws of the country, and to bestow upon all our subjects equal justice and benevolence.

If the people honestly respond to these our solemn intentions and support our endeavours, God will bestow his blessing upon them.

It is our will that all public business shall continue as hitherto, and that the public functionaries appointed or confirmed by our immortalized predecessor shall continue in office in virtue of the oath taken by them.

Given at our Palace of Christiansborg, November 16, 1863.

(Signed) CHRISTIAN R.

(Countersigned) C. HALL.

Inclosure 2 in No. 244.

Royal Message.

(Translation.)

WE, Christian IX, by the grace of God King of Denmark, &c., send our Royal greeting to the Rigsraad.

Our predecessor on the Throne, King Frederick VII of glorious memory, departed this life yesterday at Glucksburg, and with him has ended the male line of Frederick III, which has ruled these realms with justice and clemency.

Frederick VII found under eventful circumstances his strength in the affection of his beloved people, and by maintaining the Constitution of his country faithfully to the last has gained for himself a name which will ever be remembered with blessings.

Ascending the Throne in accordance with the Law of Succession in the Danish Monarchy, we have given the pledge stipulated in the Constitution, and which will be laid before the Rigsraad.

We pray God that He will give us strength to fulfil the responsible task to which He has called us, and that we may succeed in inheriting the confidence and love which carried our predecessor through moments of difficulty.

We remain with Royal faithfulness and grace.

God be with you!

Given at our Palace of Christiansborg, November 16, 1863.

(Signed) CHRISTIAN R.

(Countersigned) C. HALL.

No. 245.

Lord Bloomfield to Earl Russell.—(Received November 20.)

My Lord, *Vienna, November 18, 1863.*

ON the arrival of the news of the death of Frederick VII, King of Denmark, Count Rechberg expressed himself to me hopefully that this event, sad in itself, might have a favourable effect on the Holstein affair, as His Majesty's successor, as heir presumptive, had never approved the policy pursued of late years in the affair of the Duchies and had always been desirous for the adoption of conciliatory measures. At the same time his Excellency seemed apprehensive lest the ultra-Danish party at Copenhagen should force the new King to abandon the principles which he has heretofore professed.

I have urged his Excellency to take measures at Frankfort and elsewhere that would at all events retard the projected Execution, and allow the King time to consider his position and form his Ministry. He assured me, as I have already reported to your Lordship by telegraph, that he had written in a conciliatory sense to Frankfort and Copenhagen, and he is evidently desirous to exert the influence of Austria in arresting, as far as lies in his power, any complication that may arise in consequence of the demise of the Crown.

I have, &c.

(Signed) BLOOMFIELD.

No. 246.

Lord Bloomfield to Earl Russell.—(Received November 20.)

My Lord, *Vienna, November* 18, 1863.

WITH reference to my despatch of the 12th instant, recording a communication which had been made here by the Prussian Minister to the effect that the concessions which Denmark was disposed to make in the questions of the Duchies were insufficient, and that the affair at the Diet must take its course, I have the honour to inform your Lordship that Count Rechberg stated to me yesterday, with reference to this subject, that Baron Werther had made a further communication to the effect that the new Constitution which had passed the Danish Parliament was incompatible with the engagements which Denmark had contracted with Germany in regard to Schleswig. Count Rechberg said this proceeding of the Danish Government was very unsatisfactory, and only contributed to complicate matters and increase the difficulties with which the question was already surrounded.

I have, &c.

(Signed) BLOOMFIELD.

No. 247.

Sir H. Howard to Earl Russell.—(Received November 20.)

(Extract.) *Hanover, November* 18, 1863.

THE death of the King of Denmark became known here on the 16th instant. I have had some communications with Count Platen on the serious state of things occasioned by this event, during the course of which I made to his Excellency the following observations:—

The new King ascends the Throne during an alarming crisis for the countries over which he is called upon to rule. Of his conciliatory sentiments and of his earnest wish to bring about a general satisfactory settlement of the pending dispute with the German Diet, not the slightest doubt can be entertained. But His Majesty will require time, in the first place, in order himself to acquire a firm footing, and secondly, in order to promote the adoption of his conciliatory views at a period when the public mind at Copenhagen is so violently excited by the threatened Federal Execution. Any prosecution by the Diet of the measures of Execution would only be calculated to increase the difficulties of His Majesty's position, and to frustrate his good intentions. Moreover, under existing circumstances, a Federal Execution in Holstein might perhaps be viewed by foreign Powers more in the light of a seizure, and give rise to an intervention on their part.

The Diet, it appeared to me, were it really pacifically inclined would find in the circumstance of the change of Sovereign, and in the foregoing considerations, as well as in your Lordship's proposal of a mediation, sufficient grounds for suspending all further steps in the matter.

The moment was therefore come for the Hanoverian Government to give at the Diet those counsels of moderation which your Lordship had lately charged me to recommend, and which, in your Lordship's opinion, would be agreeable to the enlightened sense of Germany, and be conducive to the peace of Europe.

I concluded my observations by expressing the wish that the Hanoverian Government would act in this sense at Frankfort, and would counsel a suspension of all further proceedings concerning the Execution.

Count Platen replied that his opinion was that time ought to be allowed to the new King, and that the Execution ought to be suspended, on the express condition, however, that His Majesty should promise to withhold his sanction to the Project of common Constitution for Denmark and Schleswig which had been passed by the Rigsraad, and which involved an incorporation of the latter Duchy with Denmark, and his Excellency engaged to support this view at the Diet. At the same time he begged me to convey to your Lordship his hope that Her Majesty's Government would recommend King Christian not to give his sanction to the Project of common Constitution, for, were His Majesty to so, the Federal Execution must inevitably take place.

Your Lordship will be aware that the Hanoverian Government by an Act dated the 18th of December, 1852, acceded to the Treaty of London of the 8th of May of that year, regulating the Succession in the whole Danish Monarchy. The Hanoverian Government, Count Platen assured me, would not fail to observe the engagements they had contracted by that Act.

No. 248.

Mr. Gordon to Earl Russell.—(Received November 20.)

My Lord, *Stuttgardt, November* 18, 1863.

I OBSERVE that in the publication by the official paper here (the "Staats Anzeiger für Wurtemburg") of the telegram announcing the proclamation at Copenhagen of King Christian IX of Denmark, a parenthesis has been inserted to the following effect, "called to the Danish Throne, after the extinction of the male line of the Danish Royal Family, in consequence of the Law of Succession to the Throne, July 31, 1853, which has not been recognized by the German Confederation for the Duchies."

The "Schwäbischer Merkür," also of the day before yesterday, in an article on the death of King Frederick VII, disputes positively the right of King Christian IX to succeed to the Sovereignty over the Duchies, on the grounds that the Law of Succession of 1853 was not recognized by the German Diet, nor by the Augustenburg Family, who, it is maintained, have the sole right to succeed as Grand Dukes of Holstein and Lauenburg, leaving it doubtful even whether Schleswig be not also legally included in their Sovereignty.

I have, &c.
(Signed) G. J. R. GORDON.

No. 249.

*Earl Russell to Mr. Murray.**

Sir, *Foreign Office, November* 20, 1863.

HER Majesty's Government expect that the Governments of Saxony and Wurtemberg will, as a matter of course, recognize the King of Denmark as heir to all the States which, in accordance with the provisions of the Treaty of London, were united under the sceptre of the late King.

I am, &c.
(Signed) RUSSELL.

No. 250.

Earl Russell to Sir A. Paget.

Sir, *Foreign Office, November* 20, 1863.

HER Majesty's Government have learned with regret that the King of Denmark has signed the Constitution for Denmark and Schleswig, but it is possible that in the circumstances this step could not be avoided.

It would, perhaps, be desirable that His Danish Majesty should issue a Proclamation assuring his subjects of German race that they will enjoy equally with the Danes the privileges of freedom and his Royal protection.

His Majesty might also notify to the Powers who signed the Treaty of London his accession to all the States which were united under the sceptre of the late King.

I am, &c.
(Signed) RUSSELL.

No. 251.

Sir A. Paget to Earl Russell.—(Received November 23.)

(Extract.) *Copenhagen, November* 23, 1863.

KING CHRISTIAN IX could hardly have come to the Throne at a moment when more important consequences were dependent on his first acts than now. If the illness which proved fatal to His late Majesty had commenced a week later, it is probable that the new Constitution for Denmark and Schleswig, upon which the whole situation now turns, would have received the Royal sanction. King Christian would have succeeded to an accomplished fact, and His Majesty would have been relieved from the embarrassing alternative of placing himself, at the outset of his reign, in opposition to the wishes of his subjects, as in the last days most unmistakeably expressed, or of appending his signature to a measure the policy of which His Majesty disapproves.

* A similar despatch was sent to Mr. Gordon.

No sooner had the death of Frederick VII become known than the question which was universally asked was, "What will the King do as regards the new Constitution?" "Will he sign it, or will he refuse to do so and dismiss the Ministry?" The newspapers which appeared on Monday morning touched upon this question in the articles which they dedicated to the memory of the late King, and gave it clearly to be understood that on the decision which should be taken depended the manner in which the Danish people would receive their new Sovereign. The crowd which was assembled in front of the Palace of Christiansborg on the King being proclaimed, loudly manifested their sentiments in the same sense, and demonstrations in favour of the new Act likewise took place both amongst the Military and the Burgher Guard on the occasion of their swearing allegiance. Nor are these the only indications of the public feeling.

The Rigsraad, waiting until His Majesty shall have taken his decision, has as yet made no reply to the Royal message, of which I transmitted to your Lordship a translation in my despatch of yesterday's date. The Municipality of Copenhagen, who waited upon the King yesterday to offer their felicitations on His Majesty's accession to the Throne, distinctly expressed their hope, as your Lordship will see in the translation of their Address, which I herewith inclose, that His Majesty would give the Royal assent to the measure in question, and thus commence his reign by an act which would endear them to all his subjects. On the deputation leaving the palace the carriages were surrounded by those waiting outside, who eagerly inquired to know His Majesty's answer. A translation of the answer is likewise herewith inclosed. Meetings of the Municipalities in all the principal towns are taking place for the purpose of drawing up Addresses in a similar spirit. In short, it may be said that there is but one universal feeling upon the subject, and so strong does it suddenly appear to have become that it is, perhaps, no exaggeration to assert that upon the decision now to be taken by the King depends not only His Majesty's future popularity with his subjects, but consequences of a far graver import as affecting Monarchical institutions in this country.

But the question may be asked, how is it that the public feeling has risen to this pitch, and why has it never before been manifested during the time that the Constitution has been the subject of discussion in the Rigsraad, and while it seemed doubtful whether it would be adopted by that Assembly? The answer to this question is simply this:—

So long as Frederick VII was alive, and M. Hall was at the head of affairs, the country had every security, whatever might be the fate of this particular measure, that the national policy would be faithfully adhered to. M. Hall might then have withdrawn the project of Constitution altogether, or he might have suspended it for the time being, and no commotion would have taken place, for people would have felt that in his hands the interests of the country would have been upheld, and the national policy have still been steadily kept in view.

It is not to the Constitution as an internal measure, not as a measure which gives a more or less amount of political importance to the masses, but as one which draws the kingdom and Schleswig into closer alliance, that the present excitement is to be attributed. This act is looked upon as the one which is to ensure the non-German portions of the Monarchy from encroachments on the part of the Confederation, and it is to test the sentiments of the new Sovereign in defence of this principle that the pressure now put upon His Majesty arises.

If His Majesty yields while it is yet confined to a warning, and has not assumed the shape of menace, the effect will be immense, and the reaction in His Majesty's favour in proportion. He will gain a place in the affections of his subjects which will not be easily destroyed, and which will give him power to work great good. But should the delay be too long, or should His Majesty finally adopt a different decision, I cannot but be most apprehensive of what may happen.

The only possible transaction would be if M. Hall would take the responsibility upon himself of announcing to the Rigsraad that under present circumstances, and in order not to prejudge the result of the coming negotiations, he had advised the King temporarily to suspend his signature; but in view of his Excellency's declarations in the Rigsraad, and of the clause which he recently inserted in the Constitution giving it force from the 1st of January next, it is almost impossible that he should adopt this course, and perhaps, indeed, it is now too late that even this should be successful.

P.S.—Since this despatch was written the King has signed the Constitution.

Inclosure 1 in No. 251.

Address of the Municipality of Copenhagen to the King of Denmark.

(Translation.)

Most Gracious King!

IT is with deep sorrow that the inhabitants of this city have learned the hard fate which has visited our dear Fatherland.

Hand in hand with his people, Frederick VII found means to develop our internal relations upon a basis of liberty, and to protect the independence of Denmark in spite of foreign indiscretion. Therefore he was loved as hardly any other Sovereign, and found in his people the strength which he sought in its love.

Most Gracious King!

Proclaimed by the late King with the approval of the people to undertake the government of the country, after him your Majesty ascends the Throne at a moment when the country is exposed to dangers so great that only unity and confidence between King and people can conquer. In following the course which has been advised by the late King, your Majesty will preserve and establish the unity, and with the assistance of the Almighty you will be able to govern successfully for yourself and beneficially for the people.

In offering to your Majesty our most humble subjection and congratulations, we express the hope and prayer that your Majesty will accomplish the act which death only prevented your predecessor from accomplishing.

By confirming the Constitution which has been handed to you for your ratification by the Rigsraad, your Majesty will soften the pain and banish the anxiety which at the present moment fills the people, because the occurrences which have taken place of late years have created the conviction in the minds of the citizens of Copenhagen, as well as the entire people, that the liberty and independence of Denmark can only be preserved by this course.

We entertain the hope that your Majesty, by choosing men for your councillors who, like the last and tried councillors of our late King, possess the confidence of the people, will commence a new dynastic Government with honour and success.

God be with your Majesty.

Municipality of Copenhagen, November 17, 1863.

Inclosure 2 in No. 251.

Answer of the King.

Gentlemen,

I ENTIRELY share with you the feelings of sorrow for the loss of the late King Frederick VII of blessed memory expressed in the Address handed to me. I owe him more than any one else, and I sympathize with the people in their sorrow for him. I can assure you that I am as much a Dane at heart has any one, and I have had occasion to show it. I beg you will have confidence in my good will and good intentions; I entertain the sincere wish to make my people happy.

With respect to the special paragraph in your Address, and to which you seem to attach great importance, I must remark that I am a constitutional King, and have a right to rule as such.

I must, therefore, reserve to myself time for consideration, and you shall then receive my answer through the Privy Council.

I embrace this opportunity to thank the inhabitants of Copenhagen for the love which they have shown for me and my children by the happy events which have taken place in my family of late.

I beg you will give my acknowledgment to the town of Copenhagen.

No. 252.

Sir A. Paget to Earl Russell.—(Received November 23.)

(Extract.) *Copenhagen, November* 18, 1863.

THE Prussian Minister called upon me the day before yesterday, and told me he had just communicated a despatch to the Danish Government respecting the new Constitution

for Denmark and Schleswig. He briefly related the contents of the despatch, but it is not necessary that I should here repeat them, as, according to M. de Balan, a similar despatch has been presented to Her Majesty's Government.

M. de Balan was anxious that I should support the representation he had made either by communication with M. Hall, or by asking an audience of the King, and urging His Majesty to suspend for the present his sanction to the act in question.

I informed M. de Balan that I should do nothing of the kind without instructions from Her Majesty's Government. Moreover, I could not conceal my astonishment that the Prussian Government should have made a communication of this nature, and more particularly at this moment. Nothing, I said, which had passed in the negotiations with M. de Bismarck could lead to the belief that he objected to the Constitution in question.

There had never been a word said by him about it, as far as I knew, either to Her Majesty's Ambassador or to the Danish Minister; that all that had passed had been with respect to the Normal Budget, and that respecting this, everything which M. de Bismarck had required had been fulfilled by the Danish Government. In the first instance he desired that the Danish Government should make a declaration of their intentions on this subject to him, when he would communicate them to the Committee, and recommend them to its favourable consideration; he then ascertained that this was not sufficient, and required that the Danish Government should themselves take the initiative at Frankfort; this was likewise acceded to, and now at the eleventh hour when the measure had passed the third reading of the Rigsraad, and required only the signature of the King to become law, he came with a remonstrance against the new Constitution. The project of this Constitution had, I continued, been under discussion for the last six weeks, and the proper time to have objected to it was while it might still have been possible to arrest its further progress, and not when it had been discussed for the last time. Such a mode of proceeding was strange, to say the least of it.

M. de Balan admitted that it would have been better to have remonstrated earlier, but that that was not his fault, as he was on leave.

M. de Balan spoke in laudatory terms of M. de Bismarck's desire to contribute to an amicable solution of the question, but that he was thwarted by the Danish Government, who, at the moment he was using his best endeavours at the Diet to smooth matters and prevent the Execution, were giving a fresh cause for provocation by their Project of Constitution. He did not mean to say that the Execution would take place in consequence of this Constitution, but it was no doubt an aggravation of the existing situation, and made it very difficult for Prussia, who had been good enough to take upon herself the part of mediator, as it were, between the Diet and the Danish Government, to give effect to her conciliatory policy.

I replied that if the Diet intended to proceed on legal grounds, the Constitution could have no influence over the Execution, one way or another; if on illegal, I could understand the Constitution being made use of as a pretext, but it could never be admitted as a justification. But, I continued, so little reason was there for supposing that M. de Bismarck would object to the Constitution, that, as far as I was myself concerned, I must own that I thought it would establish the very state of things which he was desirous of seeing introduced. In support of this I quoted a letter from Sir Andrew Buchanan, in which his Excellency says that M. de Bismarck's idea is that, in order to clear the ground properly for a mediation on the international question, all arrangements between Holstein and the other parts of the Monarchy should cease, so that, to use his (M. de Bismarck's) own words, an independent Denmark to the Eider, and an independent Holstein to the same river, should be provisionally established. This had not only been said, I continued, to Her Majesty's Ambassador, but also to the Danish Minister, for I had myself seen the despatch in which he had reported it. With what show of reason, therefore, I inquired, could M. de Bismarck now come and accuse the Danish Government of adding to existing complications, when the measure they had brought in was precisely in accordance with his own views, as stated not more than three weeks ago?

M. de Balan could only reply that he was not aware that M. de Bismarck had spoken in this sense, and that he must admit the contradiction between what was then said and the step he had now been directed to make. For himself he could only be guided by his official instructions.

No. 253.

Sir A. Paget to Earl Russell.—(*Received November* 23.)

My Lord, *Copenhagen, November* 19, 1863.

I HAVE the honour to inclose a translation of the account given in the "Berlingske Tidende" of this morning, of what took place in the Rigsraad on their receiving from the President of the Council the official information that His Majesty had been pleased to sign the new Constitution for Denmark and Schleswig.

The King has appointed an hour to-morrow for receiving the members of the Rigsraad, and placards have been posted at the corners of the streets inviting the whole population to join in the manifestation, and accompany the members to the Palace in order to prove their sense of the service His Majesty has thus rendered to Denmark.

I have, &c.

(Signed) A. PAGET.

Inclosure in No. 253.

Extract from "Berlingske Tidende" of November 19, 1863.

(Translation.)

THE members of the Rigsraad were yesterday (18th November), after the sitting of the Privy Council, summoned to an extraordinary meeting, which was opened at 5·30 P.M. by the President, who, after having stated that the meeting was held according to a desire of the Government, and the compliance with which desire he thought the members would duly appreciate; he then gave the word to the President of the Council.

The President of the Council.—I have to inform the Rigsraad that His Majesty the King, at a Privy Council held this day, has by his most gracious signature confirmed the Constitution for the common affairs of Denmark and the Duchy of Schleswig as approved by the Rigsraad.

The President of the Rigsraad.—May the decision which His Majesty has taken be a source of prosperity to the fatherland, of honour and success to the King and his House! and may the responsibility which His Majesty in this matter takes upon himself, the conflicting opinions which every important resolution at such moment always creates in every person's heart, may that be lightened for His Majesty the King, through the faithful attachment of his people, by a love which will last during bad and good days.

Long life to His Majesty King Christian IX! (This cheer was nine times loudly and enthusiastically repeated by the members of the Rigsraad and the numerous spectators.)

The President of the Rigsraad then observed that the Rigsraad were anxious to express to His Majesty the King and Her Majesty the Queen their feelings, and to tender their thanks to the King for the resolution he had taken in such a manner, that the Rigsraad, notwithstanding the feelings of several members with respect to the Fundamental Law, were thankful to him for it.

There were two ways in which the Assembly on this occasion could approach the King. The one was through an Address; but the drawing up of such an Address would occupy time and cause discussion. The other was that the whole Rigsraad, with the President as spokesman, should request an audience in order to express their sincere thanks to His Majesty. At a moment like the present this mode of proceeding would be the simpliest and most natural one, and as such the one which was most in accordance with the Danish character.

This proposal of the President was agreed to with great applause, and all the members would at 9 A.M. this day be informed, by publication in the apartment of the Rigsraad, when and where it will please His Majesty to give audience to the Rigsraad.

No. 254.

Sir A. Paget to Earl Russell.—(*Received November* 23.)

(Extract.) *Copenhagen, November* 19, 1863.

I HAVE had some conversation with my Austrian and Prussian colleagues relative to the Constitution for Denmark and Schleswig, in which I have made use of the following observations with the view of inducing them to modify the effect which may be produced on their Governments by the fact of the King's sanctioning this act. I have said that

it ought to be taken into consideration that this project had been drawn up and brought to maturity without any participation on the part of His Majesty, who, it was well known, was opposed to the policy it indicated; that on ascending the throne His Majesty had found it complete, less his signature, which, unless he was prepared to encounter a revolution and to risk his crown without support from any quarter, it would be impossible for him to withhold; that they were perfectly well aware that there were no means of stemming the popular feeling on this subject at this moment; that there was no possibility of forming another Ministry which would have any chance of remaining a week in office; that moreover the Constitution in question was objectionable, or not, according to the use which might be made of it. I did not attempt to deny that its tendency under the present Government might be towards incorporation; but in the event of His Majesty changing his Cabinet, which would not be at all impossible for him to do when once his own position was secure, measures of a liberal character might be introduced into Schleswig which would entirely counteract its incorporating tendencies.

As affecting the engagements of 1851-52 and the proposed international negotiations, it was no worse than the existing Constitution of 1855, for if the decision of the Conference was in favour of a common Constitution, that of 1855 would have to be altered, just as much as the new one. It was to be hoped, therefore, that the German Governments would reflect on these circumstances maturely, and would, at all events, give the new Sovereign of this country the benefit of a little time.

Baron Brenner, the Austrian Minister, seemed the best disposed to listen to these views. He said he had been from the first so opposed to the new Constitution that he could not undertake now to say much in its favour, but he promised to make a faithful report to his Government of the difficulties by which the King was surrounded. He said that once the Constitution was signed, His Majesty would be bound to the policy of the National party, and he should not have much confidence in his ability to change his Ministers or to introduce changes in Schleswig.

No. 255.

Sir A. Paget to Earl Russell.—(*Received November* 23.)

(Extract.) *Copenhagen, November* 19, 1863.

I SAID to M. Hall that, although Her Majesty's Government were unwilling to interfere respecting the Danish-Schleswig Constitution, they were, nevertheless, of opinion that there would be a better chance of the international negotiations being effectual if the King were to suspend his signature till they were concluded.

No. 256.

Sir A. Paget to Earl Russell.—(*Received November* 23.)

My Lord, *Copenhagen, November* 19, 1863.

THE Government is not without apprehension of some movement in Holstein, and they have taken precautions to repress it at once.

They have received information to-day of a Proclamation issued by the Duke of Augustenburg claiming the Holstein Succession; they have also heard from Frankfort, that several of the smaller Governments intend to support his pretensions at the Diet. His party in Holstein appears to be not without consideration.

Pending the issue of all those complications, it is well that the King should have made sure of his Danish subjects at all events.

A meeting of the Holstein Estates, with the presumed object of protesting against the Succession of King Christian, was summoned in Kiel; but having been forbidden by the police, it did not take place.

It may probably be looked for at Hamburgh, or in some place outside the Danish frontier.

I have, &c.

(Signed) A. PAGET.

No. 257.

Sir A. Paget to Earl Russell.—(Received November 23.)

My Lord, *Copenhagen, November 19, 1863.*

M. HALL having been engaged with the King, I was unable to see his Excellency to-day for the purpose of submitting to him your Lordship's question as to whether the Danish Government would accept the mediation of Great Britain only, but I informed M. Vedel, the Under-Secretary, of your Lordship's inquiry, and requested him to let me know M. Hall's reply as soon as possible.

I have just received a note from M. Vedel saying, that as the King has already accepted the invitation to the Congress, which amongst other things will occupy itself about the Dano-German question, M. Hall is unable to give an answer to the present proposal of Her Majesty's Government before having submitted it to the King and conferred with his colleagues. As soon as His Majesty shall have taken a decision I am to be immediately informed.

I have, &c.
(Signed) A. PAGET.

No. 258.

Lord Bloomfield to Earl Russell.—(Received November 23.)

(Extract.) *Vienna, November 19, 1863.*

COUNT RECHBERG said that the situation of things had been aggravated by the King of Denmark having, contrary to the wishes expressed at Vienna and Berlin, signed the new Constitution, an act which may be considered tantamount to the incorporation of Schleswig, and which unfortunately would render the Execution inevitable.

With regard to the Augustenburg claim itself, Count Rechberg said that the Duke had many years ago received a large pecuniary indemnity, on the understanding that he should abdicate all rights to the Duchies to which his son now lays claim, and that the opinion of Prince Schwartzenberg, at the time of the negotiation of the Protocol of London of May 1852, based on good legal authority, was, that the Duke's claim to the Duchies could only come after those of the Emperor of Russia, who, he remarked to me, consented to waive them in order to facilitate an arrangement that would ensure the integrity of the Danish Monarchy, but had specially reserved his prior rights to the Duchies in the event of a claimant to them coming forward at any future time.

No. 259.

Sir A. Buchanan to Earl Russell.—(Received November 23.)

(Extract.) *Berlin, November 19, 1863.*

I CALLED on M. de Bismarck and read to him, in conformity with your Lordship's instructions, your despatch of the 13th instant, wherein you state that Her Majesty's Government cannot expose themselves to another refusal of their suggested mediation; and that it would not be enough that Prussia should support the proposal of Great Britain, or that the Diet should put forth conditions to their assent which Denmark would refuse.

In the course of the day I was informed that the hereditary Prince of Augustenburg had arrived at Berlin, and was about to proceed to Hamburgh; and I called again at the Foreign Office to express a hope that the Government would endeavour to prevent his Highness from exciting any insurrectionary movement in Holstein.

M. de Thile said he had just received the same intelligence, and that he would lose no time in calling M. de Bismarck's attention to it, and that he had no doubt the King would use his influence with his Highness to prevent him taking any steps of a violent nature in support of his claims.

In the course of the evening telegrams arrived reporting the opposition which had been made at Frankfort to the Danish Minister's continuing to sit for Holstein in the Diet; and next morning the Danish Minister here called on me to express his alarm lest the Diet might convert the Execution into a means of occupying Holstein federally, while a litigation was begun at Frankfort which might last for years, upon the various claims which might be put forward to the sovereignty of the Duchy.

I telegraphed M. de Quaade's apprehensions to your Lordship, and afterwards having called at the Foreign Office I learnt from M. de Thile that Baron Kubeck and M. de Sydow had found it necessary to comply with the opinion of the majority of the Diet as to the exclusion of Baron Dirchinck from their sittings.

He also told me that the Prince of Augustenburg had called on M. de Bismarck in the course of the morning, to state that he had never renounced his claims upon the Duchy of Holstein, and that he did not intend to do so.

M. de Thile said that his Excellency had replied that it was not necessary for him to enter into any discussion upon the merits of his Highness' claims, as he could remind him and the Southern Governments of Germany, which were moving in this question, that Austria and Prussia had both signed the Treaty of 1852.

On leaving the Foreign Office I communicated the substance of M. de Bismarck's message to your Lordship by telegraph, and as I received a telegram from your Lordship in the afternoon stating that Her Majesty's Government would be willing to offer their mediation in the Dano-German question if they could be satisfied that there was a chance of its being accepted, I lost no time in communicating this information to M. de Bismarck.

I have also had some conversation with his Excellency on the subject this morning, when he said that he had no confidence in a mediation being accepted, not only because many members of the Diet had declared themselves favourable to the pretensions of the hereditary Prince of Augustenburg to the Ducal Crown of Holstein, but also because the King of Denmark, by giving his assent to the new Constitution for Schleswig-Holstein, had weakened the position in the Diet of Austria and Prussia, and the other States who may have wished to maintain the integrity of the Danish Monarchy; and he stigmatized the act of the King as a formal declaration to Germany that he had come to the Throne with a determination to treat with contempt the engagements which his Government had entered into with the Confederation. I said that I could not see how the situation was changed, and what difference it could make whether the common affairs of Schleswig and Denmark were administered by the old Constitution or by the new one, the principle on which they were formed, as far as the Kingdom or Schleswig were concerned, being nearly the same; but if he meant to say that the pretensions of the Prince of Augustenburg had changed the position of affairs, and that an Execution might consequently take place, the question became much more serious, as the King of Denmark would then probably resist the Execution in order to defend his rights to the Succession as the Sovereign of Holstein, acknowledged under the Treaty of 1852, and as the legal Representative of the rights of the Emperor of Russia as Prince of Holstein-Gottorp.

As war might therefore become inevitable, it appeared to me that if a mediation had been expedient before the death of the late King of Denmark, it had become much more so now. Be that however as it may, I said that only three days ago he had asked me to urge Her Majesty's Government to offer their mediation at Frankfort, and your Lordship having informed me, in reply to my representations, that Her Majesty's Government would be willing to do so, if they saw that there was a chance of their offer being accepted, I wished to know what I should report to your Lordship in answer to that communication. He said that if the mediation is offered, Prussia "will vote and plead for its acceptance," and that the Diet may yet accept it.

He hoped, therefore, Her Majesty's Government would not be deterred from making such an offer by a fear of its being rejected, though, under present circumstances, he did not feel the same confidence which he had done a few days ago that it would be accepted.

No. 260.

Sir A. Buchanan to Earl Russell.—(*Received November* 23.)

My Lord, *Berlin, November* 19, 1863.

I HAVE the honour to inclose herewith translation of an article from the "National Zeitung," by Mr. Morier, on the pretensions of the Hereditary Prince of Augustenburg to the sovereignty of the Duchies of Schleswig and Holstein, and which expresses, I believe, correctly the public feeling here upon the question.

I have, &c.

(Signed) ANDREW BUCHANAN.

Inclosure in No. 260.

Extract from the "National Zeitung."

(Translation.) *Berlin, November* 16, 1863.

BY the death of the King of Denmark the Schleswig-Holstein question has suddenly entered upon an entirely new phase. Everything which has hitherto been the subject of negotiation—Federal Execution or not Federal Execution—retires into the background in presence of the questions which have now to be decided. The present moment is the most important crisis in the history of the Duchies of Schleswig-Holstein since the year 1460. The question has now to be decided whether these North Elbe countries are for ever to remain riveted to Denmark, and the frontier of Germany in future to be the Elbe.

The facts of the case are well known. Schleswig-Holstein stood to Denmark in a similar relation in which, under King William IV, Hanover stood to England. In both cases the two countries were temporarily united under the person of a common Ruler, but the Succession was different: in Denmark, the male and female lines descending from Frederick III having right of Succession; in Schleswig-Holstein, only in the male lines descending from Christian I. The union between the two countries would cease as soon as the male line from Frederick III died out. King Frederick VII, who died yesterday, was the last member of this line. If the legitimate Succession were now to be enforced the House of Augustenburg would succeed in Schleswig-Holstein, and in Denmark the aunt of the late King, the Landgravine Charlotte of Hesse. Were this to take place the union of the Duchies with Denmark, which has been the source of all their misfortunes, would once for all be dissolved, and the Schleswig-Holsteiners might date from yesterday the commencement of a new and happier existence.

Such would be the state of the case if the London Treaty of May 8, 1852, did not exist. By this Treaty the diplomacy of Europe has sanctioned afresh the prejudice respecting the necessity of the integrity of the Danish Monarchy, and has sacrificed to this prejudice the legitimate order of Succession. Prussia and Austria have, unfortunately, in this case, in which the principles of legitimacy happened to be in harmony with the interests of Germany, taken a part in this attack upon legitimate rights. After the unfortunate results of the Danish war, and under the impressions it produced, the London Treaty was concluded, and by it Prince Christian of Glücksburg, the so-called Protocol Prince, was designated as successor in Denmark and the Duchies whenever the male line from Frederick III should die out. The Treaty is signed by England, France, Russia, Prussia, Austria, Sweden, and Denmark. The parties bind themselves to recognize the Succession of Prince Christian of Glücksburg, but they do not undertake to guarantee it.

These are the stipulations of the Treaty, but they are not sufficient to constitute a legal change in the Succession. To make this change legal the consent of the Agnates is required, the consent of the Schleswig and Holstein States is required, and the consent of the German Confederation is required. Prussia and Austria have signed the London Treaty only as European Powers; Germany is not bound by the same, so long as the Diet has not recognized the change of Succession.

The question must now be decided whether the Duchies are to be saved or not. The tiresome negotiations of the last few years must be entirely forgotten, and the question must be placed upon its natural and simple basis. Everything now depends upon the dynastic union between the Duchies and Denmark ceasing. As a matter of course it is a matter of perfect indifference to Germany who succeeds in Denmark. We have no objections to make to the Protocol Prince becoming King of Denmark. The matter which interests us is only that in future the Duke of Schleswig-Holstein should not be the same person as the King of Denmark. If this object cannot now be compassed, we may spare ourselves any further trouble respecting the Schleswig-Holstein question. We shall then have created for ourselves another Alsace in the north of Germany. That this may be avoided, all parties concerned must do their duty with courage and determination, and must not fear to risk everything where everything has to be gained: before all, the Schleswig-Holsteiners themselves. For then the Protocol Prince is only a pretender without rights, they must not acknowledge him as their Duke, and must run the risk of force being used against them; they must never forget that no one is so certainly lost as he who gives himself up for lost. In the next place, the German Confederation must do its duty. We expect from that Body that it shall not recognize the present King of Denmark as Duke of Schleswig-Holstein, that it shall no longer admit a Representative of the King of Denmark at its sittings, but that it shall call upon the legitimate Duke of Holstein to name a Representative at the Diet. Lastly, the hereditary Prince of Augustenburg must do his duty. If he is equal to the task which now falls to his lot he will not content

himself with a mere protest against the succession of the Protocol Prince, but will take the steps which are necessary to give practical effect to his rights.

No. 261.

Sir A. Buchanan to Earl Russell.—(*Received November* 23.)

(Extract.) *Berlin, November* 21, 1863.

WITH reference to my despatch of the 19th instant, but which I did not forward on that day in consequence of the messenger Seymour having been detained at St. Petersburgh, I have the honour to inform your Lordship that I yesterday read to M. de Bismarck your Lordship's despatch of the 18th instant, acquainting me that Her Majesty's Government, for reasons therein mentioned, will be ready to offer their mediation at Frankfort, if there appears any chance of its being accepted.

Your Lordship also states that with this view you have instructed Her Majesty's Minister at Frankfort to ascertain from the President of the Diet, and from the Ministers of Bavaria and Prussia at Frankfort, whether the Diet would be disposed to accept the sole mediation of Great Britain in the international questions on which Denmark and Germany are now at issue, namely, first, the relations of the Duchy of Schleswig to the Kingdom of Denmark and to the German Confederation, and, secondly, the position of Holstein in the Danish Constitution.

M. de Bismarck said that the introduction of Prussia in the first question stated by your Lordship was an error, and I replied that though I did not venture to alter the text of your Lordship's despatch, Prussia might possibly have been mentioned from some misapprehension as to the part she had taken in the events of 1848 and the following years. But if he did not otherwise object to the basis laid down by your Lordship the error could be corrected, and I supposed he would lose no time in instructing M. de Sydow to give a favourable answer to Sir Alexander Malet's inquiries, and to endeavour to induce his Austrian and Bavarian colleagues to do so likewise.

M. de Bismarck said; whether Prussia had acted wisely or not in signing the Treaty, she would abide by it, but more she could not do for a Power which had acted towards Germany as Denmark had done, and the King of Denmark would now be called upon to fulfil strictly the engagements which he had contracted towards Germany.

He also mentioned that instructions would be sent to M. de Sydow to vote for the admission of the Danish Minister to the sittings of the Diet.

He said, however, that if the mediation did not take place the Execution would be carried out immediately; and that the Prussian Military Commissioner would leave in the evening for Frankfort, to concert measures with his Saxon and Hanoverian colleagues for supporting the Saxon and Hanoverian troops in case of those corps being resisted which have been appointed to execute the Federal Decree of the 1st of October.

No. 262.

Sir A. Buchanan to Earl Russell.—(*Received November* 23.)

(Extract.) *Berlin, November* 21, 1863.

ALTHOUGH it appears the Prussian Government have thought it necessary to recall several vessels of war from Plymouth on their way to the Atlantic, no extraordinary measures have been taken here with respect to the army to denote an apprehension on the part of the Government that the Danish question might lead to war.

No. 263.

Sir A. Buchanan to Earl Russell.—(*Received November* 23.)

(Extract.) *Berlin, November* 21, 1863.

WITH reference to my telegram of yesterday's date on the subject of the admission of the Danish Minister at Frankfort as the Representative of the Duke of Holstein, M. de Bismarck told me this morning that he arranged last night with Count Karolyi, in deference to a proposal from Vienna, that the claims of the Representatives of the King of Denmark and of the Prince of Augustenburg to be received as the Representative of Holstein should be sent to a Committee.

M. de Bismarck said it was further agreed that if the Diet refused to send the question to a Committee, Austria and Prussia should act together and vote for the admission of the Danish Minister; and M. de Bismarck added that if, contrary to his evpectations, the Austrian vote should not be given to the Danish Minister, M. de Sydow was to ask for further instructions from Berlin.

No. 264.

Sir A. Malet to Earl Russell.—(Received November 23.)

(Extract.) *Frankfort, November 20, 1863.*

THE Proclamation of Prince Frederick of Augustenburg to the inhabitants of Holstein, Lauenburg, and Schleswig, which has doubtless been brought to your Lordship's notice, has been followed by the recognition of his rights to those Duchies by several German Governments, and among others by that of Baden, which State has permitted (as I learn from good authority) M. Mohl, representing Baden in the Diet, to accept letters of credence from this pretender to the Ducal Crowns of Schleswig and Holstein, as his Envoy.

M. Mohl, as I am told, will demand to be recognized as Duke Frederick's Envoy in the next sitting of the Diet.

The usual course is for new letters of credence to be given to the President, who announces their reception to the Diet.

I understand that his Excellency declined to receive these letters from M. Mohl; that consequently that gentleman will move the Diet to accept them, and that they will be referred to a Committee.

A similar proceeding will, I am told, be adopted when M. de Dirchinck-Holmfeldt presents his letters of credence from King Christian IX as Duke of Holstein.

It is industriously set about that Prussia declares herself exonerated from the obligations of the London Protocol of 1852, in consequence of the non-fulfilment by Denmark of the engagements entered into by the Royal Government with Austria and Prussia when acting on behalf of the Diet.

In short, extraordinary means of agitation are adopted to stir up an already strongly-rooted feeling in behalf of German rights, against alleged Danish encroachments and denials of justice.

A motion was made and carried unanimously yesterday in the Legislative Assembly of the Free State of Frankfort to instruct their Representative in the Diet to support the Augustenburg claims, and a Member said that if the Governments would not, the people would take the matter in hand.

No. 265.

Sir A. Malet to Earl Russell.—(Received November 23.)

My Lord, *Frankfort, November 21, 1863.*

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 18th instant, by which your Lordship conveys to me the thanks of Her Majesty's Government for my exertions in the Danish-German question.

Permit me to express my sincere thanks to your Lordship for this most gratifying communication.

I have, &c.
(Signed) A. MALET.

No. 266.

Sir A. Malet to Earl Russell.—(Received November 23.)

My Lord, *Frankfort, November 21, 1863.*

I HAD the honour this morning to receive your Lordship's despatch of the 19th instant, drawing my attention to the fact of the two Great German Powers having signed the Treaty of London of May 8, 1852, and that Hanover, Saxony, Wurtemberg, and Oldenburg, acceded to that Treaty. I must, however, specially draw your Lord-

ship's attention to the fact that the Diet never had the Treaty presented to them, and consequently could not have acceded to it; and this fact is now prominently urged.

Your Lordship will perceive by previous reports of my conversations with members of the Diet, that I drew arguments in support of my opinions from the existence of that Treaty, with the object and terms of which I have been necessarily familiar in the long series of years that the Danish question has been before the Diet.

It can hardly be a novelty to your Lordship to learn that the blame of the non-communication of the Treaty of 1852 to the Diet is imputed to Denmark.

Austria, as is asserted, made a formal overture to the Copenhagen Cabinet to lay the Treaty before the Diet, which, from reasons I am not thoroughly acquainted with (but which are said to have been based on the apprehended opposition it would encounter), the Danish Government purposely, or carelessly, neglected to do.

From whatever cause the omission arose, it is, under present circumstances, a matter to be greatly deplored, as complicating questions already sufficiently embroiled.

The German papers are now asserting that Austria and Prussia signed but did not ratify the Treaty, and that Denmark's breach of faith in incorporating Schleswig, as is asserted to be effected by the new common Constitution, releases all the German parties to the Treaty from their engagements.

I have, &c.
(Signed) A. MALET.

No. 267.

Sir A. Malet to Earl Russell.—(*Received November* 23.)

(Extract.) *Frankfort, November* 21, 1863.

YOUR Lordship will understand that although I might succeed in obtaining favourable assurances from the Envoys of Austria, Prussia, and Bavaria, whom I have consulted as to the dispositions of their respective Governments in view of British mediation between Germany and Denmark, and although strongly favourable expectations might be indulged thereupon, there would be no certainty thereby afforded of the Diet's admitting our proposition, even if it had the approval of the three chief States of Germany.

Moreover, whenever the proposal is laid before the Diet, a delay of from ten to fourteen days would be required before the Envoys could obtain the instructions of their several Cabinets, so that under the most favourable circumstances, and with all the diligence I can possibly exert, your Lordship must be prepared to wait some time for any positive result.

In the meantime, the knowledge that Her Majesty's Government takes so deep an interest in the matter is doubtless producing an effect, and nothing will be precipitated.

No. 268.

Sir A. Malet to Earl Russell.—(*Received November* 23.)

(Extract.) *Frankfort, November* 21, 1863.

IT might be desirable to put your Lordship fully in possession of the arguments of the German Press in favour of the pretensions of Prince Frederick of Augustenburg to the Duchies of Holstein and Schleswig, but time does not admit of my making a full translation. A brief summary of what I find in various journals may be of some service.

In the first place, I find it asserted that the London Protocol of 1852, as it is always styled, and not Treaty, does not guarantee the integrity of Denmark or the Succession to the Throne.

That Austria and Prussia signed it with reserves against incorporation of Schleswig, and of the claims of the Confederation on the Duchies. The argument is deduced that King Christian IX's signature of the common Constitution releases Austria and Prussia from all obligations.

However this may be with the two States which signed that act, the Diet, it is said, is not bound by it, nor, it is argued, can it be admitted that the signataries of the Protocol had the right, even in concurrence with the Sovereign of a constitutional land, to decide a question of Succession so nearly touching its interests without submitting the act to the national Representatives. This was never done.

In Holstein and Lauenburg the Succession is settled by the Federal law; the Diet,

therefore, is bound not only to secure those Thrones to Prince Frederick of Augustenburg, but to install him in the Government and protect him against all attacks, and any act done or attempted to be done in these Duchies in the name of Christian IX is an usurpation, and can legally be resisted, or if enforced is null and void.

By ancient right Schleswig and Holstein must always have the same Government. The Duke of Holstein is also as such Duke of Schleswig. Prince Frederick, therefore, holds Schleswig as a non-German territory, by a right similar to that by which Austria holds Hungary and its other non-German territories, or by which Prussia holds Posen, &c.

No. 269.

Mr. Murray to Earl Russell.—(Received November 23.)

(Extract.) *Dresden, November 19, 1863.*

I HAVE the honour to inclose, for your Lordship's information, copies of two despatches addressed to me by Her Majesty's Chargé d'Affaires at Coburg, relative to the Succession to the Duchies of Schleswig and Holstein.

Your Lordship has doubtless ere this been made aware that the Press in various parts of Germany has taken up this subject eagerly in the same sense as the Coburg Gazette. The line of argument they pursue is, that the Protocol signed in London by the Great Powers in May 1852 having never been assented to by the German Confederation, and Oldenburg and Bavaria having even protested against it, cannot now over-rule the German law of Succession under which the Prince of Sonderburg-Augustenburg brings forward his claim.

The discussion thus raised seems likely to add new complications to a question which already threatened to disturb the peace of Europe. It will, however, have the immediate advantage that it will enable the Confederation to withdraw with a good grace from the Federal Execution.

It is the opinion here that the Confederation will not receive any Minister accredited to it by His Majesty King Christian IX until this question of the Succession in the Duchies shall have been settled. So far as the Saxon Government is concerned this matter will not raise any discussion, as it gave its adhesion to the Treaty and Protocol of 1851-52. Nevertheless, it causes so much excitement here that the subject of the Congress, which a few days ago was of all-absorbing interest, has for the moment been eclipsed.

Inclosure 1 in No. 269.

Mr. Barnard to Mr. Murray.

Sir, *Coburg, November 17, 1863.*

THE Coburg paper of this day contains an article of which the following is a translation:—

"*Separation of the Duchies Schleswig-Holstein from Denmark.*—Frederick VII, King of Denmark, is dead. The consequence of this event, according to the old laws (right) of the country, is the separation of the Duchies from the Kingdom, because Frederick VII was the last of the male line of Oldenburg, and only males are entitled to succeed. The rightful heir to the Ducal Crown is the House of Augustenburg. The London Protocol of May 8, 1852, is contrary to law, and the accession of the present King of Denmark, Christian IX (Prince of Glücksburg), to the Duchies would be a case of usurpation totally unsupported by law."

I have, &c.

(Signed) C. T. BARNARD.

Inclosure 2 in No. 269.

Mr. Barnard to Mr. Murray.

Sir, *Coburg, November 18, 1863.*

AN article in the "Coburg Gazette" states that the Duke of Saxe-Coburg recognizes the Hereditary Prince of Schleswig-Holstein-Sonderburg-Augustenburg as Duke of Schleswig-Holstein, and that a communication to this effect has been sent to the German Diet at Frankfort.

I have, &c.

(Signed) C. T. BARNARD.

No. 270.

Mr. Murray to Earl Russell.—(Received November 23.)

My Lord, *Dresden, November 21, 1863.*

AS soon as possible after receiving your Lordship's telegram* I saw M. de Beust upon the subject of which it treated. He declined to state definitively the course which the Saxon Government might feel itself called upon to follow in respect of the Schleswig-Holstein Succession question. He observes that in the answer given by this Government to the despatch of Lord Malmesbury of October 22, 1852, which answer was forwarded to the Foreign Office by this Mission of December 13, 1852, a reservation was introduced, according to which the Saxon Government holds itself not only at liberty, but obliged, to consult with other German Powers, and especially, to consider its obligations before taking any decision upon the question in the aspect which it has now assumed. His Excellency observed that the Danish Government had repudiated the engagements which she had entered into with Germany on this question in 1851, and that its very last act, by which the Duchy of Schleswig was incorporated with the Kingdom of Denmark, was in direct opposition to these engagements. On these grounds he held that the German Powers were at liberty to take up, *de novo*, the question of Succession now raised, and that until it was settled the Confederation could not, in his opinion, receive a Minister accredited by the King of Denmark.

Being anxious to save this post, I did not enter into any argument on the subject with M. de Beust, but hastened home to give your Lordship this brief outline of his Excellency's reply.

I have, &c.
(Signed) CH. A. MURRAY.

No. 271.

Mr. Gordon to Earl Russell.—(Received November 23.)

My Lord, *Stuttgardt, November 19, 1863.*

I WAS not aware, when I wrote my despatch dated yesterday, of the important step that had been taken by the Duke and Government of Saxe-Coburg-Gotha in acknowledging Prince Frederick of Augustenburg as Grand Duke of Schleswig-Holstein, to the exclusion of King Christian IX. This very extreme and uncompromising act appears likely to meet with the most enthusiastic and universal approval and support throughout Southern Germany, at least on the part of the Liberals, or the so-called Party of Progress, and it may be impossible for the different State Governments to resist the popular impulse, notwithstanding the chances which the adoption of such a policy presents of leading to all the horrors of an European war. Already yesterday the public journals of this part of Germany, and specially (as being those with which I am more immediately concerned) the "Schwäbischer Merkur" of Stuttgardt and the "Karlsruher Zeitung," the official organ of the Baden Government, have produced articles, couched in the strongest and most exciting language, in praise of the step taken by the Duke of Saxe-Coburg, and urging the other German Governments and the Diet to adhere to it and to follow it up, founding their arguments on the facts that the Protocol of London of 1852 was not adhered to by the German Confederation as a Body, and was protested against by the Augustenburg family.

Prince Frederick of Augustenburg is encouraged in these articles to seize at once on the Government, and convoke the Diet of Schleswig-Holstein. The Frankfort Diet is urged to refuse any longer to recognize the Representative there of the King of Denmark, as authorized to take part in its proceedings for the Duchies of Holstein and Lauenburg; and the Duchies themselves, together with Schleswig, are invited to seize the opportunity of pronouncing energetically their determination no longer to be subject to the Danish Crown. Besides this, the Frankfort Diet is called upon to demand of the King of Denmark that the Holstein troops now in garrison in the Danish provinces be placed under the orders of the Confederation, and, in the anticipated event of the King's refusal, the consequent armed conflict is accepted as inevitable. Further, the assembled Parliaments of Austria and Prussia, as well as those of Saxony and Hesse-Darmstadt, are invited to come forward with questions to their respective Governments as to the course they intend to pursue at this momentous crisis for the future of Germany, and the assertion of its independence and power.

* See No. 249.

The above lays before your Lordship the chief points and considerations in the numerous articles referred to, the translation of which in time to be of any use would be impossible.

I have been unable as yet to learn with any certainty what may be views of this Government on the important question which has thus so unexpectedly presented itself, as I believe Wurtemberg was one of the German States which formally adhered to the Protocol of London of 1853, I conclude they will not, unless compelled by popular or Legislative pressure, take any step in opposition thereto, if they do not adopt the view of the "Karlsruher Zeitung" that, inasmuch as Denmark has not fulfilled the engagements she made at that time with regard to Schleswig, the German Governments are released from the obligations imposed by the Protocol.

In the above grave position of affairs, I beg to request that your Lordship will furnish me with instructions as to the language I am to hold with regard to the Succession to the Throne of the Duchies of Holstein and Lauenburg.

As I am about to close this despatch, I received from Mr. Baillie the despatch which I have the honour to inclose, reporting a conversation he has had with Baron Roggenbach on the subject in hand, which manifests clearly the determination of the Baden Government to support the claims of the Augustenburg family.

I have, &c.
(Signed) G. J. R. GORDON.

Inclosure in No. 271.

Mr. Baillie to Mr. Gordon.

Sir, *Carlsruhe, November* 18, 1863.

BARON DE ROGGENBACH stated to me in conversation respecting the death of the King of Denmark, that he regarded that event as one of very grave importance.

It introduced, he said, a new element into the Schleswig-Holstein question, namely, that of the Succession to those Duchies. He had always been opposed to a Federal Execution in Holstein in the general interests of peace, and this Government had voted against it, because they felt themselves strong enough to do so, but the question now assumed a very different aspect.

Baron de Roggenbach believes that the son of the Duke of Augustenburg will assert his right to succeed to the Duchies, and if he does neither this Government nor any other German Government will, he is firmly convinced, be able to do otherwise than give him their cordial support.

I have, &c
(Signed) EVAN P. M. BAILLIE

No. 272.

Sir H. Howard to Earl Russell.—(Received November 23.)

(Extract.) *Hanover, November* 20, 1863.

COUNT PLATEN expressed to me to-day his regrets that King Christian of Denmark had given his sanction to the common Constitution for Denmark and Schleswig lately voted by the Rigsraad.

I replied that the German Powers must, in part at least, be held responsible for this act, because by threatening an Execution they had deeply irritated the national feeling in Denmark, and had occasioned that pressure to which His Majesty had no doubt been obliged to yield, in order to avoid more serious consequences.

I remarked that unless the Diet previously recognized the right of Succession of King Christian in the German Duchies, an Execution in Holstein would assume more the character of a seizure and of an attack upon the integrity of the Danish Monarchy than of a mere Federal measure, and would involve an indefinite occupation, and that I doubted the non-German Powers, parties to the Treaty of London of May 1852, viewing it with indifference.

His Excellency said that the question of the admission of a Representative at the Diet of King Christian for the German Duchies would be the first question to be decided upon, and that the occupation would certainly be prolonged until every demand of the Confederation had been complied with. I inferred, however, from his language that he considered the Execution ought now in any case to take place.

I had then some conversation with his Excellency on the proclamation of the hereditary Prince of Augustenburg of the 16th instant, announcing his Succession to the Government of the Duchies of Schleswig-Holstein, and telling the Lauenburgers that their Duchy followed the same order of Succession—as well as on the recognition of His Highness's pretensions by the Governments, as it has been reported, of Saxe-Coburg, Saxe-Weimar and Saxe-Meiningen, and Baden.

I reminded his Excellency that the Prince was debarred from the Succession not only by the International Treaty of May 1852, to which Austria and Prussia were parties, and to which other German States such as Hanover and Wurtemberg had acceded, but also by the Act of Cession of his estates signed by the Duke, his father, at Frankfort on the 30th of December, 1852, the 3rd Article of which says: "We moreover promise, for us and our family, not to undertake anything whereby the tranquillity of His Majesty's dominions and lands might be disturbed, nor in any way to counteract the resolutions which His Majesty may have taken, or may in future take; in reference to the arrangement of the Succession to all the lands now united His Majesty's sceptre, or to the eventual organization of his monarchy." The Act, I said, contained other provisions equally stringent. The hereditary Prince was of age when this Act of Cession place, having been born in 1829, but had never protested against it, and had partaken of its benefits and was consequently bound by it. Nor was he justified in invoking in his proclamation any subsequent renunciation in his favour of the Duke his father, for the latter had no rights left to renounce. The Prince being represented as the legitimate Successor to the Duchies, I mentioned another ground which, if I was correctly informed, existed for his exclusion and which was founded on German law, viz., the fact of his mother, a Countess Daneskiold, not being of equal birth.

I then referred to the assurance which his Excellency had given me, that the Hanoverian vote at the Diet would be given against the motion of the Saxe-Coburg Government in favour of the pretensions of the Hereditary Prince of Augustenburg; and said that I took it also for granted that Hanover would oppose the motion of Baden, which he had told me was for the non-admission of the Representative of King Christian into the Diet.

His Excellency answered that Hanover would follow in this matter the course that might be adopted by Austria and Prussia, who were parties to the Treaty of May 1852; and he hinted that whilst the question of the rights of His Danish Majesty was under consideration, the exclusion of his Representative might perhaps be expedient.

As regards the Duchy of Lauenburg, it is difficult to see how the Prince of Augustenburg, even if not otherwise debarred, could have any claims to it, as it was made over to Denmark by Prussia in 1815, in exchange for Swedish Pomerania, which had been ceded to her as a compensation for the loss of Norway.

I beg to call your Lordship's attention to the fact that, like some German Princes, the German independent press, and the public for the most part, espouse the cause of the Prince of Angustenburg, and put forward the convenient argument that Austria and Prussia are not, as members of the Confederation, bound by the engagements they contracted as great Powers under the Treaty of 1852.

Should, therefore, the non-German Powers, parties to that Treaty, not be disposed to take timely and vigorous measures for upholding its stipulations in favour of the integrity of the Danish Monarchy, we must be prepared for a German crusade with a view to wresting the Duchies of Schleswig, Holstein, and Lauenburg from Denmark.

No. 273.

Mr. Ward to Earl Russell.—(*Received November* 23.)

My Lord, *Hamburgh, November* 20, 1863.

AFTER the death of King Frederick VII, hopes were entertained here that his successor the now King of Denmark, Christian IX, would not sanction the new Constitution for Denmark and Schleswig which had passed the Council of State, and was waiting the assent of the late King. These hopes have, however, been disappointed by the intelligence received here yesterday from Copenhagen that his present Majesty had formally assented to the new Constitution, and had affixed his Royal signature thereto. It is therefore intended by the Danish Government to give effect to the same on the 1st of January next.

Having in several recent despatches endeavoured to draw your Lordship's attention to the very dangerous consequences likely to result from the passing of the law referred to,

I lament to be obliged now to add that international hostilities between the Germanic Body and Denmark on account of Schleswig are believed here to be as inevitable as the Execution in respect of Holstein and Lauenburg. The opinion universally entertained in Germany, whether right or wrong, is that the new Constitution is tantamount to an incorporation of Schleswig with Denmark, and is therefore a flagrant breach of the engagements entered into by the Danish Government with the Germanic Confederation in the year 1851. The Prussian Envoy residing here has informed me that his Government is now determined to fulfil to the utmost extent its own obligations towards the Duchies, that two divisions of the Prussian army (the 6th and 13th) have been put into marching order, and that Prussia will march, if at all, with a force of 50,000 men. The present state of things at Copenhagen, indeed, bears a strong resemblance to that in the year 1848, when the late King, Frederick VII, shortly after his accession, was forced by a tumultuous assemblage of people to identify himself with the party of the Eider-Danes, and to put forth that unfortunate Proclamation of March 24, 1848, for the union of Schleswig with Denmark, which drove the Duchies into insurrection and brought on the war with the Germanic Body, at the termination of which a pledge was given that no attempt at such an incorporation should ever again be made.

The difficulties of the situation are enhanced by the claim of the Prince Frederick of Schleswig-Holstein, eldest son of the Duke of Augustenburg, to be recognized as reigning Duke of Schleswig-Holstein and of Lauenburg. The Proclamation of this Prince, dated from Dölzig Castle on the 16th instant (of which I have the honour to inclose a copy, accompanied by a translation*), asserts his title to the Dukedom on the ground of hereditary right and of his father's resignation in his favour, and such title appears to have been already acknowledged by the Duke of Saxe-Coburg, the Grand Duke of Saxe-Weimar, and the Grand Duke of Baden. But this is not all. An expectation prevails that Prussia will likewise espouse the cause of the Prince of Augustenburg, and will actually propose to the Federal Diet the recognition of his claim to the Crown of the Duchies. Such a step would of course imply the repudiation by Prussia of her engagements under the Treaty of London, dated May 8, 1852, regulating the Succession to the Crown of the Danish Monarchy, which repudiation she would vindicate in consequence of the non-fulfilment by the Danish Crown of the obligations contracted by it to the German Powers in the years 1851 and 1852, and especially by reason of the very recent attempt to incorporate Schleswig.

Some efforts have been made in Holstein to agitate the question of the Succession, but without effect. A meeting of Members of the States which had been summoned to take place at Kiel on the 19th instant was prohibited by the police, and a Kiel newspaper (the "Wochenblatt") containing a strong article on the subject was promptly suppressed. I believe that it is not in the power of the inhabitants of the Duchies to do much of themselves, either in favour of the Prince of Augustenburg or to prevent the Danish scheme of incorporating Schleswig. The danger which now threatens the Danish Monarchy lies unquestionably in the military preparations which Prussia is making, the object of which is evidently much beyond that of the Federal Execution.

I have, &c.
(Signed) J. WARD.

No. 274.

Earl Russell to Lord Bloomfield.†

My Lord, *Foreign Office, November* 23, 1863.

HER Majesty's Government have learned, with much regret, by a telegram received from Sir A. Malet, that the claims of Prince Frederick of Augustenburg to the Duchies of Schleswig and Holstein have been brought before the Diet of the German Confederation by the presentation to that Body, by the Baden Minister, of credentials as Envoy of the Prince; and that the question raised by this proceeding has been referred to a Committee of the Diet.

In this state of things Her Majesty's Government think it right that you should be informed, without loss of time, that Her Majesty's Government consider that they have no other course to pursue than to observe faithfully the engagements which Her Majesty contracted by the Treaty of the 8th of May, 1852, and by which Her Majesty engaged, in common with the other signing parties to that Treaty, to acknowledge, in the contin-

* See Inclosure in No. 276.

† Similar despatches were addressed to Sir A. Buchanan, Mr. Murray, Sir H. Howard, Mr. Gordon, Sir J Milbanke, Sir A. Paget, and Sir A. Malet.

gency therein specified, H.R.H. the Prince Christian of Schleswig-Holstein-Sonderburg-Glücksburg and his issue male in the direct line by his marriage with the Princess Louisa of Hesse the right of succeeding to the whole of the dominions then united under the sceptre of His Majesty the King of Denmark.

Her Majesty's Government expect that the Powers who signed that Treaty, or acceded to it, will pursue the same course.

I am, &c.
(Signed) RUSSELL.

No. 275.

*Earl Russell to Lord Bloomfield.**

My Lord, *Foreign Office, November* 23, 1863.

YOUR Excellency reports in your telegram of the 22nd instant that Count Rechberg had expressed to you his opinion that if the new Constitution for Denmark and Schleswig, which has been signed by the King of Denmark since his accession to the Throne, cannot be modified or recalled, the Diet will issue its orders for carrying out the Federal Execution.

Her Majesty's Government cannot but regret that the advice which it gave to the Government of Austria in May last was not listened to. If it had been so, the new Constitution would not have been adopted in Denmark.

But even admitting that the promulgation of this new Constitution justifies the Diet in declaring war against Denmark, it cannot be maintained that transactions concerning Denmark and Schleswig, but having no bearing on Holstein, confer upon the Diet a right of enforcing Federal Execution in the latter Duchy.

Her Majesty's Government would have no right to interfere in behalf of Denmark if the troops of the Confederation should enter Holstein on Federal grounds. But if Execution were enforced on international grounds, the Powers who signed the Treaty of May 8, 1852, would have a right to interfere.

It seems to Her Majesty's Government that the course which at the present crisis the Diet should pursue would be to require Denmark to withdraw the Letters-Patent of the 30th of March, and to comply in Holstein with the demands of the Diet as regards that Duchy, intimating, at the same time, that if Denmark should refuse to make these concessions, the threatened Federal Execution would be carried into effect.

The Diet might, at the same time, require that questions of an international character should be referred by both parties to the Powers who were parties to the Treaty of May 1852.

Her Majesty's Government consider that if the Diet were to adopt this course war might be averted; and they trust that, in the present perilous state of affairs, Austria and Prussia will act together, and afford by so doing the best chance of averting from Germany the danger of Democratic revolution.

Your Excellency will speak to Count Rechberg in the sense of this despatch.

I am, &c.
(Signed) RUSSELL.

No. 276.

Sir A. Paget to Earl Russell.—(Received November 24.)

(Extract.) *Copenhagen, November* 21, 1863.

I HAVE the honour to inclose herewith a translation of the proclamation of the Duke of Augustenburg to the inhabitants of Holstein, Lauenburg, and Schleswig.

This proclamation has not, I understand, produced the least effect in the Duchies. The momentary excitement which prevailed in Holstein on the accession of the King is reported as having subsided.

A meeting of the members of the Holstein States, which was forbidden in Kiel, is said by the newspapers to have taken place at Hamburgh, but I am informed that Count Plessen and Baron Blome were both opposed to the demonstration, and did not countenance it by their presence.

It is reported that two Prussian corps d'armée have received orders to be ready to march.

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* The substance of this despatch was also sent to Sir A. Buchanan for communication to M. Bismarck.

Inclosure in No. 276.

Address.

(Translation.)

Schleswig-Holsteiners!

THE last Prince of the Danish line of your rulers has departed this life. In virtue of the old order of Succession of the families of Oldenburg, in virtue of the order which the State Assembly of Schleswig-Holstein distinctly has confirmed in the Fundamental Law of the State, by virtue of the document of relinquishment which my father has issued in my favour, I do hereby declare, as the first-born Prince of the nearest line of the House of Oldenburg, that I assume the Government in the Duchy of Schleswig-Holstein, by which I receive the rights and duties which Providence has bestowed upon my House, and first of all upon me. I know that these duties devolve upon me in a troublesome time; I know that in order to establish my rights and yours at the present moment there is no other power at my disposal except the justice of your cause, the sacredness of old and new oaths, and your conviction as to the firmness of the ties which unite my fate with yours. You have hitherto borne the injustice just as boldly as you have fought to avoid it. From this moment your being governed by the King of Denmark would be an usurpation and an illegal act of violence, and the common object we have in view is to put a stop to this government. I cannot now summon you to offer an armed resistance, your country is occupied by foreign troops, you have no arms. It is therefore my duty, first of all, to request the Federal Government to protect my right of reigning and your right of nationality. The German Confederation has never opposed the legitimate order of inheritance. The order upon which the Governments of Germany depend is the same upon which my rights are based, and the Governments cannot and will not resist the truth, confirmed by experience, that a durable state of affairs cannot be lasting where an arbitrary order of justice is forced upon the people against their wishes, against their nationality created by God, and against their ancient rights.

Lauenburgers! Your country is subject to me, provided no other member of my family, and older and more established rights of German Prince, claim it. I promise you that I will consider your national rights as my own, and that I, as far as I am called upon, will protect your rights and liberties.

Schleswig-Holsteiners! Inspired by the conviction that my right is your relief, I promise, for my part and that of my House, to remain by your side, and not to part from you and our right. And thus I promise and swear, in accordance with the Fundamental Law of the State, to keep the Constitution and laws of the Duchies of Schleswig-Holstein, and to protect the rights of the people. So help me God and His Holy Word.

(Signed) FREDERICK, *Duke of Schleswig-Holstein.*

Palace of Dölzig, November 16, 1863.

No. 277.

Sir A. Paget to Earl Russell.—(Received November 24.)

My Lord, *Copenhagen, November* 21, 1863.

I HAVE the honour to inform your Lordship that General de Bildt, Aide-de-camp General to His Majesty the King of Sweden and Norway, has arrived at Copenhagen on a mission of congratulation to King Christian IX on His Majesty's accession to the Throne.

Baron Nicolay, the Russian Minister, has been instructed by telegraph to compliment His Majesty in the name of His Imperial Majesty the Emperor of Russia.

I have, &c.

(Signed) A. PAGET.

No. 278.

Sir A. Paget to Earl Russell.—(Received November 24.)

(Extract.) *Copenhagen, November* 21, 1863.

I HAVE the honour to inclose a translation of the 3rd paragraph of the Act of Cession signed at Frankfort on the 30th of December, 1852, by which the Duke Christian Auguste of Augustenburg renounces for himself and family his rights of Succession to any portion of the dominions under the Danish Crown.

Inclosure in No. 278.

Paragraph 3 of the Act of Renunciation signed at Frankfort, December 30, 1852, by the Duke of Augustenburg.

NOUS promettons et déclarons en outre, pour nous et notre famille, et sur la foi de notre parole et de notre honneur princiers, de ne rien entreprendre par quoi le repos des états et pays de votre Majesté Royale puisse être troublé ou compromis, et nous engageons, également, à ne nous opposer en aucune façon aux résolutions déjà prises ou à prendre dorénavant, soit en vue de l'arrangement de l'ordre de Succession pour tous les pays qui sont actuellement réunis sous le sceptre du Roi de Danemarc, soit en vue de l'organisation éventuelle de la Monarchie.

(Translation.)

WE promise and declare moreover, for ourselves and our family, and upon the faith of our word and of our princely honour, to undertake nothing by which the peace of the states and country of your Royal Majesty can be disturbed or compromised, and we engage at the same time not in any way to oppose the resolutions already taken or to be hereafter taken, whether with a view to the arrangement of the order of Succession for all the countries which are actually united under the sway of the King of Denmark, or with a view to the eventual organization of the Monarchy.

No. 279.

Sir H. Howard to Earl Russell.—(Received November 25.)

My Lord, *Hanover, November* 23, 1863.

IN a conversation which I had with Count Platen this morning on the Schleswig-Holstein question, his Excellency repeated to me the assurance that Hanover would not fail to observe all the engagements she has contracted by her accession to the Treaty of the 8th of May, 1852, regulating the Succession for the whole Danish Monarchy. He, said, however, that the Federal Execution must take its full course, and that there could no longer be a question of a mediation, for it was only by taking the matter vigorously in hand itself that the Diet could bring it into a regular channel and prevent a popular movement in Germany from assuming the direction of it. A Federal Execution would in itself imply an acknowledgment of King Christian's rights to the Duchies.

His Excellency observed that the opinion of Prussia, in which he concurred, was that the Diet, before admitting the Danish Representative, should come to a resolution concerning the pretensions of the Prince of Augustenburg. He again assured me that the vote of Hanover would be given against an acknowledgment of those pretensions. He added that the King of Hanover had received from the Prince of Augustenburg a notification of his accession to the government of the Duchies which he claims, but that no answer has been returned to it.

I have, &c.

(Signed) HENRY F. HOWARD.

No. 280.

Sir H. Howard to Earl Russell.—(Received November 25.)

My Lord, *Hanover, November* 23, 1863.

THE popular movement in this country on the Schleswig-Holstein question is assuming considerable proportions, without, however, having hitherto taken a disorderly character.

At the meeting of the Municipal Corporation of this residence, which was held here on the 21st instant, an address to the King was unanimously voted, praying His Majesty to interfere vigorously in favour of the rights of the Duchies of Schleswig-Holstein, and containing assurances of the utmost devotion to the cause of the fatherland, and of every readiness to make sacrifices for it.

Yesterday a popular assembly, which might have been composed of between 2,000 and 3,000 persons, took place here in the open air on the premises belonging to the Civic

Rifle Corps. At this meeting a petition to the Hanoverian Government was agreed to, urging them to counsel the King to acknowledge the Hereditary Prince of Augustenburg as Duke of Schleswig-Holstein, and, with a view to supporting the legitimate Government in those Duchies, immediately to march troops into them.

In a conversation which I have had with Count Platen, I represented whether, as the public appeared to be quite ignorant of the accession of Hanover to the Treaty of the 8th of May, 1852, it would not be expedient and proper, in order to detach well-meaning persons from the agitation, to make mention, in the answers to be returned to the Address and petition in question, of the obligations which Hanover has contracted by that Accession.

His Excellency replied that it was extremely desirable to prevent the present excitement from turning into a revolutionary movement, and he thought such a reference as I had proposed might have that consequence. He did not know what, if any, answer would be returned by the King to the Address, but he was of opinion it ought only to convey general assurances of His Majesty's interest in the maintenance of the rights of the Duchies, and to refer to the deliberations pending at the Diet.

On my part, I persevered in my opinion, being convinced that more harm is likely to be done by concealing the real state of the case than by enlightening the public on the subject of it.

I have, &c.
(Signed) HENRY F. HOWARD.

No. 281.

Mr. Murray to Earl Russell.—(*Received November* 25.)

My Lord, *Dresden, November* 23, 1863.

I HAVE just returned from making the inquiries rendered necessary by the telegram* which I received from your Lordship this morning.

The Saxon Government will adhere to the reservation contained in the consent which it gave to the Protocol of 1852, and will take no steps without coming to an understanding with the other Members of the Confederation.

The Austrian and Prussian Courts are in constant communication with each other on this subject, and their Representatives here have no instructions yet to press any definite measure on the Saxon Government.

I have, &c.
(Signed) CH. A. MURRAY.

No. 282.

Mr. Gordon to Earl Russell.—(*Received November* 25.)

My Lord, *Stuttgardt, November* 23, 1863.

A VERY numerously and respectably attended public meeting took place in Stuttgardt on the evening of the 20th instant, in pursuance of a requisition, signed by some of the leading men of various political parties in this capital, which I have the honour to inclose in translation herewith; and it is asserted that since the exciting period of 1848, no more numerous and animated public meeting had taken place, whilst it is declared to have differed from all "other such meetings of recent date, in that on this occasion every one attending it appeared to be penetrated with the conviction that this time words must be immediately supported by deeds and willingness to endure sacrifices of possibly the heaviest nature; and that each felt himself responsible, by appearing at the meeting, for bringing about a turn in German affairs which may bring the greatest blessing to the fatherland, but which may also lead it close to the very greatest dangers."

After considerable and exciting debate, the meeting agreed to adopt a petition to the Government (prefaced by a somewhat lengthy preamble) to the effect, that—

"The Royal Government be pleased to employ all the means in their power towards defending the interests of Germany and the protection of the inalienable rights of the Duchies of Schleswig and Holstein, with the view to an immediate intervention with this object, and especially to the recognition of the hereditary Prince of Augustenburg as the only legitimate Duke of Schleswig-Holstein."

* See No. 274.

I do not think it necessary to forward the preamble to the above, but will only observe that it states erroneously that Wurtemberg was among the German Governments which did not adhere to the Treaty of London of 1852.

The Meeting further resolved to nominate a Committee, the object of which was to use all the means at their disposal for supporting the "Brother people" of Schleswig-Holstein in their contest for freedom from Danish rule.

Besides the above, similar meetings are being held in every place of any importance throughout this Kingdom, and a motion is announced in the lower Chamber of the Wurtemberg Legislature which meets to-morrow, to urge the Government to recognize the pretensions of the Prince of Augustenburg.

I hope to be able to-morrow to see Baron Hügel on the subject, when I will press upon his Excellency the expectation of Her Majesty's Government, communicated to me in your Lordship's telegram of the 19th instant, that this Government will recognize the right of King Christian IX to the Sovereignty of the Duchies, as well as of the Kingdom of Denmark; but I must not conceal from your Lordship my apprehension that the Wurtemberg like other German Governments will find themselves unable to resist the violence and universality of the opinion of all classes in favour of a contrary course, and, whatever might otherwise be their wish to abide by their engagement, that they will be prevented from doing so, from fear of the revolutionary consequences which would probably ensue if they should adhere to them.

I have, &c.
(Signed) G. J. R. GORDON.

Inclosure in No. 282.

Requisition to attend a Public Meeting on the case of Schleswig-Holstein.

(Translation.)

THE rightful Duke of Schleswig-Holstein has, in consequence of the death of the late King of Denmark, assumed the Government of the Duchies of Schleswig and Holstein. Thus is the anxiously looked for moment arrived in which the abandoned brother race is freed from its sufferings in which the unholy union of a German country with a foreign State is dissolved.

But it will be impossible for Schleswig-Holstein and its Duke to maintain its legitimate national independence against Danish ascendancy without the powerful aid of Germany. The German people are now called upon to fulfil their often declared promises.

We call upon our fellow-citizens of all political opinions to assemble in a public meeting on Friday November 20, at 8 P.M., in the hall of the Citizens' Society, to consider the steps necessary to be taken.

Stuttgardt, November 19, 1863.

No. 283.

Mr. Ward to Earl Russell.—(*Received November* 25.)

My Lord, *Hamburgh, November* 23, 1863.

SINCE the Proclamation of the Prince Frederick of Augustenburg asserting his right of Succession to the Crown of the Duchies has been in circulation, the cause of the Prince appears to have gradually gained strength in this part of the country, but no disturbances or acts of violence have taken place.

Although the public meeting which was to have been held last week at Kiel was put down by the police, the leading men of the Duchy have conferred together, and have resolved to appeal to the Federal Diet for protection in the existing crisis. An Address to the Diet, signed by the majority of the members of the Assembly of the States of Holstein (to which the remaining members will doubtless accede), has been already taken to Frankfort by Count Reventlow and a Deputation.

It prays the Diet to decide between the conflicting claimants to the Ducal Crown, and in the meanwhile to defend the States against all encroachments upon their constitutional rights. The States have not actually declared themselves for the Prince of Augustenburg, but they confide in the wisdom of the Diet to decide the question of his right upon strictly legal principle.

The law of Succession to the Danish Monarchy, dated July 31st, 1853, never having been submitted to the States of Holstein or of Schleswig, the States consider that they are no more bound by that law than the Germanic Confederation is bound by the Treaty of London of May 8, 1852. The same view appears to be taken by the Grand Duke of Oldenburg, who has protested against the assumption by King Christian IX of the Crown of the Duchies. This protest has been published in the German newspapers, being contained in a note addressed by the Government of Oldenburg to that of Denmark on the 17th instant.

Hamburgh, as an independent State, is naturally the seat of agitation in the affairs of the Duchies, and the Prince of Augustenburg has many partisans in this city.

The police authorities cannot altogether stop public meetings, although they do their best to prevent excesses and disorders. At a recent meeting in the Walhalla, near this city, above 1,000 Schleswig-Holsteiners and their friends were present, and voted an address of confidence and adhesion to the Prince, who returned an answer to them through M. Francke, Minister of State at Gotha. It was also determined that a permanent Schleswig-Holstein League should be formed for the purpose of working regularly in support of the rights of the Duchies. At another public meeting held here on the 20th instant of the Hamburgh Members of the German National League, Resolutions were passed in favour of the separation of the Duchies from Denmark, of the recognition by the Senate of the Prince of Augustenburg, and of forming a volunteer German army in the cause of the Duchies. In fact the state of excitement here and in other parts of Germany, seems to be very much what it was in the year 1848 before the war between the German Powers and Denmark had broken out.

It could not of course be supposed that the Germanic Diet would decide upon the claim of the Prince of Augustenburg without reference to a Committee, and a careful examination into the legitimacy of the grounds on which the Prince's claim rests. But an impression prevails here that in the meantime, and until the Diet shall finally determine between the pretensions of the conflicting claimants of the Ducal Crown, the Duchies will be occupied by a Prussian army, and their revenues sequestrated for the use of the person whom the Diet shall eventually recognize as their legitimate Sovereign.

I have, &c.
(Signed) J. WARD.

No. 284.

Sir A. Paget to Earl Russell.—(Received November 25.)

My Lord, *Copenhagen, November 21, 1863.*

I HAVE the honour to inclose herewith a copy of a note which I received yesterday evening from M. Hall, in reply to the inquiry which I made of his Excellency, in compliance with your Lordship's instructions as to whether the Danish Government would accept the sole mediation of Her Majesty's Government in the international questions with Germany.

I have, &c.
(Signed) A. PAGET.

Inclosure in No. 284.

M. Hall to Sir A. Paget.

Monsieur, *Copenhague, le 20 Novembre,* 1863.

J'AI pris les ordres du Roi relativement à la question que vous m'avez adressé verbalement hier, et je m'empresse d'y répondre.

Le Gouvernement du Roi acceptèra avec le plus grand plaisir la médiation de Sa Majesté Britannique dans le différend Dano-Allemand, et il est convaincu que l'intérêt pour l'intégrité et l'indépendance de la Monarchie Danoise que le Gouvernement Anglais a manifesté à un si haut degré dans ces derniers temps nous est la meilleure garantie de l'esprit dans lequel une telle médiation serait conduite. Mais le Gouvernement du Roi ne peut pas se dissimuler que l'attitude que la Diète Germanique parait vouloir prendre relativement au Traité de Londres est telle que l'action collective de toutes les Puissances signataires de ce Traité deviendra peut-être nécessaire. Or, le Roi mon auguste Souverain a déjà accepté l'invitation au Congrès que l'Empereur des Français lui a adressée, et, dans

la pensée de plusieurs des Puissances les plus intéressées, notre question fait sans aucune doute partie du programme des délibérations fntures.

Le Gouvernement du Roi ne peut donc pas ne point appeler l'attention de Lord Russell sur l'opportunité qu'il y aurait selon nous à réserver notre question à ce Congrès; ou, si cette réunion ne se réalise pas, à une Conférence spéciale des Puissances signataires du Traité de Londres. Mais si des obstacles doivent s'opposer à une action collective des Puissances, le Gouvernement du Roi sera toujours heureux de pouvoir compter sur la médiation puissante de la Grande Bretagne.

Agréez, &c.
(Signé) C. HALL.

(Translation.)

Sir, *Copenhagen, November* 20, 1863.

I HAVE taken the King's commands regarding the question which you verbally put to me yesterday, and I hasten to return an answer to it.

The King's Government will accept with the greatest pleasure the mediation of Her Britannic Majesty in the Dano-German dispute, and they are convinced that the interest which the English Government have of late manifested to so great an extent in the integrity and independence of the Danish Monarchy is the best guarantee of the spirit in which such a mediation would be carried out. But the King's Government cannot conceal from themselves that the attitude which the German Diet seems disposed to take as regards the Treaty of London is such that the collective action of all the Powers who signed that Treaty will perhaps become necessary. Now, the King my august Sovereign has already accepted the invitation to a Congress which the French Emperor has addressed to him; and in the opinion of many of the Powers most concerned, our q estion doubtless forms a part of the programme of the future deliberation.

The King's Government cannot therefore do otherwise than call Lord Russell's attention to the opportunity which there would be, in our opinion, for reserving our question for that Congress; or if the meeting should not take place, for a special Conference of the Powers who signed the Treaty of London. Should obstacles, however, interfere with the collective action of the Powers, the King's Government will always be fortunate in being able to count upon the powerful mediation of Great Britain.

Receive, &c.
(Signed) C. HALL.

No. 285.

Earl Russell to Sir A. Paget.

Sir, *Foreign Office, November* 25, 1863.

HER Majesty's Government are of opinion that in the present state of the differences between Denmark and the German Confederation, the proper course for the King of Denmark to pursue would be at once to revoke the Letters-Patent of March 30.

His Majesty Christian IX ought to have no difficulty in taking this step, and it should be done with as little delay as possible.

I am, &c.
(Signed) RUSSELL.

No. 286.

Lord Napier to Earl Russell.—(Received November 26.)

My Lord, *St. Petersburgh, November* 20, 1863.

I FOUND Prince Gortchakoff this forenoon with the Prussian and the Danish Ministers. His Excellency informed us that he had availed himself of an early occasion after the accession of the new Danish Sovereign to convey to His Majesty by telegraph through the Russian Legation at Copenhagen, the expression of his opinion that it would be most desirable to abstain from giving a precipitate sanction to the Fundamental Law incorporating Schleswig, recently passed by the Danish Chambers. In the opinion of Prince Gortchakoff such a step might place the Governments of Prussia and Austria in a very difficult position. The Powers were parties to the engagements of 1852, but if a law should be definitively adopted in their opinion violating the pledges of the Danish

Government towards Schleswig and Germany, it might be out of their power to maintain the settlement framed in London for the integrity of the Danish Monarchy, now put in jeopardy by the death of the late King and a disputed Succession.

Unfortunately, intelligence was received this forenoon that the King of Denmark had sanctioned the law referred to. The posture of affairs has therefore, in the opinion of Prince Gortchakoff, become exceedingly grave, and it behoves Her Majesty's Government, as the Government most deeply interested in the integrity of Denmark, to devise measures to avert the dangers with which we are threatened.

I have, &c.
(Signed) NAPIER.

No. 287.

Sir A. Paget to Earl Russell.—(Received November 26.)

My Lord, *Copenhagen, November* 23, 1863.

I HAVE the honour to inclose herewith a translation of an Address which was presented to the King on the 21st instant, by the delegates of forty-one towns, expressive of their gratitude to His Majesty for having signed the Constitution for Denmark and Schleswig.

A translation of His Majesty's reply is annexed.

I have, &c.
(Signed) A. PAGET.

Inclosure in No. 287.

Address of Danish Municipalities and King's Answer.

(Translation.)

THIS day (21st November) at 11¼5 A.M., the Delegates of the Municipalities, more than one hundred in number, and representing the Municipalities of forty-one country towns, proceeded in procession from Hotel "Phœnix," to the Palace of Christiansborg, where they had an audience of their Majesties the King and Queen, who were surrounded by their children, and accompanied by his Excellency the President of the Council and a suite of officers and ladies of the Court.

The spokesman of the Delegates, Mr. Consul Mörk, read the following Address:—

"Most Gracious King!

"In a moment of difficulty your Majesty ascends the Throne, to which King Frederick VII, in accordance with the wishes of his people, has called you. Danger from without, which causes anxiety at home, threatens our Fatherland; and, your Majesty, in a moment like the present, the fellow-citizens in the different portions of the country have been anxious, through us as their representatives, to express to your Majesty the feelings which inspire them all.

"We bring your Majesty our most humble greeting, and express the thankful feelings which have arisen by your Majesty's having ratified the Constitution for the Kingdom and the Duchy of Schleswig, an act which your Majesty's predecessor, of blessed memory, was prevented from accomplishing and signing.

"We see in your Majesty's ratification of an act by which King Frederick VII, surrounded by patriotic and liberal-minded counsellors, would protect the independence of the country and development of the liberty of the people, a guarantee that your Majesty lends a ready ear to the wishes of the people; we see in it an omen of an everlasting future co-operation between the King and the people for the prosperity and success of our dear Fatherland.

"The enemy is already about to threaten our borders, but the people will faithfully, with their King at the head, and, as we hope, with our Northern friends by our side, protect our good cause. Should times of difficulty and trial arise, and great sacrifices be required, all will be more easily borne when mutual love and faith unite the King to the people and the people to their King.

"God keep his protecting hand over King and Fatherland!

"*Copenhagen, November* 21, 1863."

His Majesty the King gave the following reply:—

"It has been important to me, at this eventful moment, to see myself surrounded by faithful Danish men from all portions of the country. It has pleased me to see every one share my deep sorrow for the loss of the late King, of blessed memory, to whom I was attached by the strongest ties of gratitude. I have now accomplished, after mature consideration, the task he has left me. I expect that I have thereby more strongly cemented the bond of union existing between King and people, the strength of which is apparent in times of difficulty. I thank you for the sincere feelings expressed for me and the Queen, and beg you will convey our sincere acknowledgments to the entire country."

No. 288.

Sir A. Buchanan to Earl Russell.—(*Received November* 26.)

My Lord, *Berlin, November* 23, 1863.

I RECEIVED this morning a telegram from your Lordship dated last night, in which, after having expressed the regret with which Her Majesty's Government have learnt that the pretensions of the hereditary Prince of Augustenburg have been brought before the Diet at Frankfort, and referred to the consideration of a Committee, your Lordship informs me that the only course which Her Majesty's Government can pursue with respect to this incident will be to observe with fidelity the London Treaty of 1852, while they will expect those Powers who were originally parties to that Treaty, and those who afterwards acceded to it, to have the same regard to good faith with respect to it as Her Majesty's Government have taken for the guidance of their own conduct.

I shall therefore hold this language to my colleagues and to any persons who may speak to me upon the subject; and M. de Bismarck having granted me an interview yesterday afternoon, I communicated to him the substance of your Lordship's telegram. He said that the Treaty, as far as it concerned Prussia, is only a part of the transactions which took place between Germany and Denmark in the years 1851 and 1852, and if the King is expected to fulfil the obligations which his predecessor contracted by it, the King of Denmark must, in the first place, fulfil the engagements contracted by his predecessor upon which the Treaty was founded. In the meanwhile, however, he said, the King considered himself bound to continue to do so, unless the King of Denmark, by carrying into effect the provisions of the new Danish Constitution, shall formally violate his engagements to Germany.

He had, therefore, he said, concerted instructions with Count Karolyi to the Austrian and Prussian Ministers at Frankfort, with a view to obtaining the provisional admission to the Diet of the Danish Minister as the Representative of the Duke of Holstein, but in these instructions the principle is maintained that the Danish engagements of 1851 and 1852, and the Treaty of London as far as the German Powers were parties to it, were parts of one transaction. He said that Austria and Prussia would endeavour to obtain a majority in the Diet, but that they might fail to do so; and that the communication which I had just made to him would therefore be more useful if it had been contained in a despatch to Sir Alexander Malet for communication to the Diet. He said the King would fulfil his his obligations, and that Her Majesty's Government should use their influence with those members of the Confederation who are disposed to refuse their assent to the provisions of the Treaty, and to place Austria and Prussia in a minority of the Diet.

I have, &c.

(Signed) ANDREW BUCHANAN.

P.S.—Since writing this despatch I have again seen M. de Bismarck, and he stated that he had received reports of the late debates in the Rigsraad, from which it appears that M. de Bluhme made a speech that entirely confirms his Excellency's statement that the Treaty of London cannot be binding on Prussia if Denmark has not fulfilled the obligations which she had previously contracted to Germany.

A. B.

No. 289.

Sir A. Buchanan to Earl Russell.—(*Received November* 26.)

My Lord, *Berlin, Novomber* 24, 1863.

I RECEIVED, late last night, your Lordship's telegram of yesterday, and waited, this morning, on M. de Bismarck; and after mentioning to him that I had received a

telegraphic message from your Lordship, with instructions to acquaint him with its substance, I said I had drawn up a memorandum of its contents, which I would read to him, as the most satisfactory manner of communicating to him the opinions of Her Majesty's Government on the important subject to which it relates. I then read the inclosure to his Excellency. He interrupted me at the first paragraph by saying that the question in discussion in May was a Federal one, in which Germany could not permit other Powers to interfere; and I replied Her Majesty's Government had not intended to do so as far as the question may have been of a Federal character, as I could satisfy him by reading your Lordship's despatch of the 27th of May, to which you had doubtless referred in your message. His Excellency having then allowed me to finish reading my memorandum, asked whether I had any objection to leave it with him, as he would like to read some parts of it to the King. I said that I was not instructed to do so, but I was willing to do anything which I had reason to believe would promote the views of Her Majesty's Government; and if he would give me a pen, in order that I might mark upon paper that it had only been left with him confidentially, he was at liberty to keep it.

His Excellency then read me a report from Baron Sydow, from which it appears that all the members of the Committee of the Diet, with the exception of the Representatives of Austria and Prussia, are opposed to the admission of Baron Dirchinck-Holmfeldt as the Representative of the Sovereign of Holstein; and M. de Bismarck said that Baron Kubeck had not been instructed to vote for the provisional admission of M. Dirchinck; and that a proposal of M. de Bismarck's that he should be admitted, at all events, to the sittings of the Diet, as the Representative of the Duke of Lauenburg, had been unfavourably received, on the ground that Lauenburg does not possess a vote in the Diet. M. de Bismarck said that Austria would, however, vote with Prussia; and he had sent instructions to M. de Sydow that, if the Sovereign of Lauenburg had only the tithe of a vote in the Diet, that might affect his Representative's right to vote, but could not exclude him from the Assembly.

I have, &c.
(Signed) ANDREW BUCHANAN.

Inclosure in No. 289.

Memorandum.

THE new Constitution in Denmark could never have been adopted, if the Prussian Government had not neglected the advice which Her Majesty's Government offered to them in May with respect to the expediency of not allowing the Holstein question to add to the complications and dangers of Europe. The German Confederation may possibly have a right to declare war to Denmark, but transactions which concern Denmark and Schleswig, but have no bearing on the affairs of Holstein, cannot give the Diet a right of Federal Execution in the latter Duchy.

Should Federal troops enter Holstein on purely Federal grounds Her Majesty's Government would not interfere, but should it appear that Federal troops had entered the Duchy on international grounds Her Majesty's Government may be obliged to interfere.

The Diet should therefore demand that the Letters-Patent of March 30, issued by the late King of Denmark, should be immediately withdrawn, threatening Execution if their requisition is not complied with, and both sides should refer their international differences to the Powers who were Parties the Treaty of London of the 8th of May, 1852.

War may then be averted, and if Germany is to be saved from a democratic revolution it will be necessary that Austria and Prussia should act in concert in this question.

No. 290.

Sir A. Buchanan to Earl Russell—(Received November 26.)

My Lord, *Berlin, November* 24, 1863.

I HAVE the honour to transmit to your Lordship herewith a Report by Mr. Morier on the proceedings which yesterday took place in the House of Deputies, from which your Lordship will learn that Resolutions have been brought in by persons representing all the Liberal sections of the House, calling upon the Government to support the claims of the Prince of Augustenburg and the rights of the Duchies of Schleswig and Holstein.

The debates on these Resolutions will hardly take place before the end of the week.

I have, &c.
(Signed) ANDREW BUCHANAN.

Inclosure in No. 290.

Resolutions brought before the House of Deputies in the Sitting of the 23rd instant, in reference to the Schleswig-Holstein Question.

IN the sitting of the Chamber of Deputies yesterday the President read a letter which had been addressed to him in his official capacity by order of the Prince of Augustenburg inclosing the Proclamation addressed by that Prince to the inhabitants of the Duchies of Schleswig and Holstein.

A draft of Resolution was then read, signed by 115 Members of the Party of Progress and of the Left Centre in reference to the same subject. It was to the following effect:—

That the House of Deputies declare that whereas—

1. The Hereditary Prince of Schleswig-Holstein-Sonderburg-Augustenburg has, in virtue of an incontestable right of Succession, put forward his claim to the Government of the Duchies. And whereas—

2. Neither the German Confederation, nor the "States" of the Duchies of Schleswig and Holstein, nor the agnates of the House of Oldenburg, have adhered to the provisions of the London Treaty of the 8th of May, 1852. And whereas—

3. Denmark, by a number of measures in violation of her Treaty engagements, by manifold acts oppressive of the German population in Schleswig, by the Patent of the 30th of March of the present year, and lastly, by the calling into life of a Dano-Schleswig Constitution, has broken the agreement entered into in 1851-52, and thereby the conditions under which the German Great Powers acceded to the Treaty of 1852; and whereas the provisions of that Treaty have thereby lost all binding power on the said Great Great German Powers. And whereas—

4. Under these circumstances the presence of Danish troops in the Federal State of Holstein constitutes a violation of Federal territory;—

The House of Deputies declares:—That the honour and interest of Germany demand that all the States of Germany should protect the rights of the Duchies, and recognize Prince Frederick of Schleswig-Holstein-Sonderburg-Augustenburg as Duke of Schleswig-Holstein, and afford him effectual assistance for making good his claims.

After some discussion it was determined that a Committee should be named next day to prepare a Report on the Resolution.

A counter-Resolution was then brought in, signed by Count Schmerin, Baron Vincke-Oldendorff, and other members of the old Liberal party, as well as by Count Bethusy Huc, a gentleman who last Session formed part of the small Government minority, but who this Session has not identified himself with any of the recognized sections of the House.

It was to the following effect:—"That the House of Deputies declare its readiness to give to His Majesty the King its utmost support in the task of recognizing and making good the claims of the Hereditary Prince of Schleswig-Holstein-Sonderburg-Augustenburg as Duke of Schleswig-Holstein, as well as in maintaining the rights of the latter's German Duchies."

The debates on these Resolutions will hardly take place before Friday or Saturday next.

No. 291.

*Earl Russell to Lord Bloomfield.**

My Lord, *Foreign Office, November* 26, 1863.

IT appears from the reports which have reached Her Majesty's Government that Federal Execution may be looked upon as imminent; but Her Majesty's Government hope that it may be delayed so as to allow time for the adoption by Denmark of the advice of the five Powers. The presence of a Federal army in Holstein is not unlikely to occasion revolutionary movements among the excited part of the population of the Duchy.

I am, &c.

(Signed) RUSSELL.

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* A similar despatch was addressed to Sir A. Buchanan.

No. 292.

*Earl Russell to Lord Bloomfield.**

My Lord, *Foreign Office, November* 26, 1863.

PRINCE GORTCHAKOFF has communicated to Her Majesty's Ambassador at St. Petersburgh a plan which he thinks may lead to a peaceful settlement of the differences between Denmark and the German Confederation.

His Excellency proposes that the five Courts who signed the Treaty of London should send Envoys to Copenhagen to congratulate the King of Denmark on his accession, and that their Envoys should be instructed to inform the Danish Government that the five Powers adhere to their engagements for maintaining the integrity of the Danish Monarchy. They should at the same time state that Denmark has not, in the opinion of the five Powers, fulfilled her engagements towards Germany in regard to Schleswig, which may be considered by Austria and Prussia as forming part of the general arrangement.

Prince Gortchakoff thinks that this collective action might show the Danish Government the necessity of making such modifications in the Fundamental Law as may enable all the five Powers to co-operate in maintaining the integrity of Denmark.

Her Majesty's Government entirely approve the proposal of the Russian Cabinet, and they hope that it will be adopted by the Austrian Government.

I am, &c.

(Signed) RUSSELL.

No. 293.

M. de Bille to Earl Russell.— (Received November 26.)

My Lord, *Legation of Denmark, November* 26, 1863.

I HAVE hereby the honour to submit to your Excellency a translation of the new Charter or Fundamental Law of Denmark-Schleswig, sanctioned by the King on the 18th of this month. In order that your Lordship may be enabled to form an opinion of the scope of the changes made in the Constitution of Denmark-Schleswig by this new Charter, as compared with the old Charter of October 2, 1855, I have noted in the margin wherever the new Charter differs from the old.

I also inclose a translation of a passage in the Report of Minister Hall to the King, praying His Majesty to sanction the new Charter as voted by the Rigsraad, and which concisely explains the view taken by my Government of what is required in the way of a Constitutional organization of the Danish State, in order to maintain its independence of Germany.

I beg leave, in conclusion, to repeat what I have already verbally explained to your Lordship,—that the new Charter leaves Schleswig precisely in the same position in which she was under the former Charter, without in any manner whatever altering her Provincial Constitution and independence.

The new Charter is simply a modification of the old Charter of 1855, with a view of adapting it to the altered state of things consequent on the Constitutional separation of the two German Duchies from the rest of the Monarchy—a separation insisted on by Germany and advised by the Powers friendly to Denmark, and especially by Great Britain. The only other feature of importance in the new Charter is that it makes the common Parliament or Rigsraad for Denmark-Schleswig a more popular Assembly by making it to consist of two Chambers instead of one, and by permitting a greater liberty of discussion and legislation than was allowed under the old Charter. The two Chambers thus elect their own Presidents and have the right of initiating laws and of addressing interpellations to the Government.

I have, &c.

(Signed) TORBEN BILLE.

Inclosure 1 in No. 293.

Fundamental Law for Denmark Proper and Schleswig; approved November 1863.

(Translation.)

Observations.	I.
The paragraphs under this head, §§ 1 to 8, are in every essential respect identical with the corresponding §§ 1 to 8 under Head I of the Common Charter of October 2, 1855.	§ 1. The form of Government is that of a limited Monarchy. The Royal power is hereditary. The Succession is the one established by the Law of Succession of July 31, 1853, for the whole Danish Monarchy. § 2. The King cannot without the consent of the Rigsraad be Regent in any other

* Similar despatches were addressed to Earl Cowley, Sir A. Buchanan, and Mr. Jerningham.

Fundamental Law, &c. *Observations.*

countries than those belonging to the Danish Monarchy.

§ 3. The King shall belong to the Evangelical Lutheran Church.

§ 4. The King shall be of age when he has filled his 18th year. The same is to be the case with the Royal Princes.

§ 5. Before the King assumes the Government he is to communicate to the Privy Council a written promise on oath to maintain inviolate the constitutional laws of the realm. If he should already, as heir to the throne, have taken such an oath, he then at once assumes the Government. The written promise is to be made out in identical duplicates, of which the one is to be deposited in the Archives of the Privy Council, the other to be communicated to the Rigsraad, to be deposited in its Archives.

Until the oath has been taken the Government is to be conducted by the Privy Council, unless otherwise ordered by law.

§ 6. Regulations for the conduct of Government in the event of the King being a minor, of his illness or his absence, are to be established by law. If no such law has been passed the Government, on the event occurring, is to be temporarily conducted by the Privy Council. The Privy Council shall in such case at once convoke the Rigsraad, which is to adopt the necessary measures.

§ 7. The King's Civil List is to be fixed by law for the period of his reign. By it is also to be fixed what royal residences and other state property are to belong to the Civil List. The Civil List cannot be attached for debt.

§ 8. For the Members of the Royal House appanages can be fixed by law. Appanages cannot without the consent of the King be enjoyed out of the Monarchy.

II.

§ 9. The King has, with the limitations hereafter specified, the supreme authority over the common affairs of the realm, and exercises it through his Ministers.

§ 10. The King is irresponsible. His person is sacred and inviolable. The Ministers are responsible for the conduct of Government.

§ 11. The King appoints and dismisses his Ministers. He fixes their number and the distribution of affairs amongst them. The King's signature to Resolutions passed by the Legislature or the Government gives them their validity when accompanied by the signature of one or of several Ministers. Every Minister who has signed is responsible for the Resolution.

§ 12. The Ministers for the common affairs, together with the Ministers for the

§§ 9, 10 and 11 are identical with the corresponding §§ 9 to 11 of the Common Charter of October 2, 1855.

§§ 12 to 17 are in every essential respec identical with the corresponding §§ 14 to 19

Observations.	*Fundamental Law, &c.*
of the Common Charter of October 2, 1855.	separate affairs of the territories, constitute the Privy Council, in which the heir to the Throne, when of age, and such of the Royal Princes whom the King may designate for that purpose, take part. The King presides except in the cases mentioned in §§ 5 and 6. § 13. All laws and important Government measures are discussed in the Privy Council. If the King should be prevented from holding a Privy Council, he can allow matters to be discussed in a Cabinet Council. This Council is composed of all the Ministers, and is presided over by the Minister whom the King has appointed President of the Cabinet. This Minister submits to the King the Protocol of the transactions, who then decides whether he will at once sanction it, or have the subject submitted to him in a Privy Council. § 14. The King appoints all functionaries in the same manner as hitherto. No one can be appointed to an office who has not the right of citizenship. The King can discharge the functionaries appointed by him. Their pension is to be fixed according to the Pension Law. A functionary removed against his will has the right of demanding his discharge with a pension. Alterations as to the power of the King in appointing, discharging, and removing functionaries can be made by law. § 15. The King declares war and concludes peace, as also contracts, and dissolves alliances and Commercial Treaties. But he cannot, without the consent of the Rigsraad, cede away any portion of the realm or enter into any obligation affecting the existing public relations of the State. § 16. The King can pardon and grant an amnesty. § 17. The King can directly, or through the proper Government authorities, make such concessions or exceptions from the laws as are either according to existing rules usual or which hereafter may be conceded by law.
	III.
The corresponding paragraph (§ 21) in the Common Charter of October 2, 1855, says merely, "The legislative power in common affairs is vested in the King and the Rigsraad conjointly." The second part of the paragraph, "No law passed, &c.," is a new enactment, having reference to the precarious nature of the community with Holstein and the extension of power recently granted to the Holstein Estates, whereby they have been put on an equal footing with the Rigsraad.	§ 18. The legislative power in respect to the common affairs of Denmark Proper and Schleswig is vested in the King and the Rigsraad conjointly. No law passed by the Rigsraad, and sanctioned by the King, can be made dependent on the passage of a similar law by another Legislature or for a separate part of the realm, unless a special provision to that effect be inserted in the Law itself.

Fundamental Law, &c.	*Observations.*
§ 19. Common affairs are all those affairs which are not expressly appointed to be separate for the individual parts of the realm. If any dispute should occur between the Rigsraad and the Separate Representative Assembly of one of the territories as to whether a matter belongs to the common or the separate affairs, the question is to be discussed by the Cabinet. Each Minister shall record his vote in the Protocol. The Protocol is afterwards submitted in a Privy Council to the King, who decides the question. The decision taken by the King is subscribed by those Ministers who agree with it.	The enactments of this paragraph are identical with the corresponding ones in §§ 20 and 22 of the Common Charter of 1855.
§ 20. The Rigsraad consists of a Folkething and a Landsthing. The Folkething has 130 members, of whom 101 are chosen in Denmark, and 29 in Schleswig. The Landsthing consists of 83 members, of whom 52 are chosen in Denmark Proper, 13 in Schleswig, and 18 appointed by the King.	The §§ 20 to 26 differ considerably from the corresponding sections in the Charter of 1855, because the Rigsraad of 1855 consisted only of one Chamber. The Folksthing of the new Law is quite a new institution, whilst the Landsthing corresponds to the old Rigsraad. Concerning the composition of this, the old Law enacted in § 24: "In the Rigsraad shall enter—20 members appointed by the King. The members of the Representative Assemblies of the territories have the right of electing 30 members of the Rigsraad, and 30 others are elected by direct elections."
§ 21. The right of electing to the Folkething is possessed by every man who has suffered no criminal conviction, who has citizenship, and who has accomplished his 30th year, unless— (*a.*) Having no household of his own he should have entered into private service; (*b.*) He should be receiving, or have received, assistance out of the poor rates, without such assistance having been either remitted by him or repaid to him; (*c.*) He be deprived of the administration of his property; (*d.*) Or he has not had his fixed habitation for one year in the electoral district or town in which he resides at the time of the election.	Inasmuch as there was no Folkething in the Rigsraad established by the Charter of 1855, this Charter does not contain any section corresponding to § 21 of the new Law.
§ 22. The right of electing to the Landsthing is possessed in Denmark Proper and Schleswig by every one who possesses that right in regard to the Folkething (a fixed habitation for one year being, however, only required in the electoral district for the Landsthing), if, at the same time, he has, in the past year, paid 200 rix-dollars in direct taxes to the State or the commune, or can prove that he has an annual income of 1,200 rix-dollars. In the Färoe Islands the election is made by the Lagthing.	The conditions for being an elector for the the Landsthing, as laid down in the opposite section, are in every essential respect identical with the conditions for being an elector to the old Rigsraad, as laid down in section 29 of the Charter of 1855.
§ 23. Eligible to either of the two Chambers of the Rigsraad is every man who	The enactments of this section are, in every respect, identical with those of § 29A

Observations.	*Fundamental Law, &c.*
of the Charter of 1855 treating of the conditions for being eligible to the old Rigsraad.	has suffered no criminal conviction, who is a citizen, has his domicile in the realm, and has filled his 25th year, unless he should have been deprived of the administration of his own property.
There is, of course, no section in the Charter of 1855 corresponding to this.	§ 24. The members of the Folkething are chosen directly by small electoral districts. The division into electoral districts and the procedure at the election are to be established by the Electoral Law. The election is valid for four years.
With this section are to be compared the §§ 27, 28, and 30 of the Common Charter of 1855, which treat of the elections to the Rigsraad established by that Law. These sections run thus :—	§ 25. Of the members of the Landsthing, 51 are chosen in Denmark Proper and 13 in Schleswig by direct elections in larger electoral districts.
§ 27. The Danish Rigsdag has the right of electing 18 members; the Estates of Schleswig 5 members, the Estates of Holstein 6, and those of Lauenburg 1 member.	The Electoral Law establishes the electoral districts, the number of members of the Landsthing to be chosen by each of them and the procedure at the election. For the Färoe Islands one member is chosen by the Lagthing.
§ 28. By direct elections are to be chosen in Denmark Proper 17 members: in the Duchy of Schleswig 5, and in the Duchy of Holstein 8.	The election is valid for eight years; but at the expiration of every fourth year, the term of one half of those chosen by the electoral districts expires according to the rotation prescribed by the Electoral Law.
§ 30. The regulations for the exercise of the right of election to be established by the Electoral Law.	
The elections to the Rigsraad according to the Law of 1855 were also valid for eight years, but all the powers of the members expired at the same time; *vide* § 25 quoted below.	
The corresponding § 26 of the Charter of 1855 says, "Of the members chosen by the King 12 shall be residents of Denmark Proper, 3 of Schleswig, 4 of Holstein, and one of Lauenburg."	§ 26. The other members of the Landsthing are appointed by the King, and at the time of their appointment 12 of them shall be residents of Denmark Proper and 6 of Schleswig.
§ 25 of the Charter of 1855 enacts: The members chosen by the King are chosen for twelve years, the others for eight years."	The appointment to be valid for twelve years, which for each member is to be reckoned from the day of his appointment.
The same enactment as the one opposite is found in § 34 of the old Charter.	The validity of their appointment is not affected by a dissolution of the Landsthing. Those members of the present Rigsraad who have been chosen by the King take their places in the Landsthing, until the expiration of the twelfth year for each of them.
This section is identical with § 31 of the Charter of 1855, only the time of convocation was there fixed for October.	§ 27. He convokes the Rigsraad for an ordinary session every other year. At the expiration of two months the King can prorogue the session.
§ 28 is essentially identical with § 32 of the Charter of 1855.	§ 28. The King can postpone the ordinary session of the Rigsraad for a stated period, but not without the consent of the Rigsraad for a longer period than four months, and not oftener than once in the interval before the next ordinary session.
Identical with § 33 of the Charter of 1855.	§ 29. The King can convoke the Rigsraad for extraordinary sessions, the duration of which depends on his decision.
Essentially identical with § 34 of the Charter of 1855.	§ 30. The King can dissolve the Rigsraad, or one of the Chambers. If one of the

Fundamental Law, &c.

Things is dissolved, the meetings of the other Thing must be postponed until the whole Rigsraad can meet again. This shall take place within four months after the dissolution.

§ 31. During the sessions of the Rigsraad no member can, without the consent of the Thing to which he belongs, be arrested for debt, nor be imprisoned, or proceeded against, except he be taken in the act.

No member can, without the consent of the Thing to which he belongs, be made responsible out of the Rigsraad for his utterances there.

§ 32. The members of the Rigsraad are bound by their conviction alone, and not by any instructions on the part of their electors.

Officials who are elected members of the Rigsraad need not the permission of the Government for accepting the nomination.

§ 33. The members of the Rigsraad receive a daily compensation.

§ 34. The Rigsraad assembles at Copenhagen, but the King can, in extraordinary cases, convoke it to another place in the realm.

§ 35. Each Thing decides itself on the validity of the elections of its members.

Every new member is required to subscribe a promise on oath to maintain inviolate the Fundamental Law of the realm. If he refuses to take this oath his election is cancelled. The same is the case if he stays away without sending in his oath within a fortnight after its having been sent to him from the President for his signature.

§ 36. If a member, duly elected, should afterwards come into a position which would exclude him from being eligible, then he loses the rights resulting from his election.

§ 37. Each of the Things prescribes itself the rules for its proceedings.

§ 38. Each of the Things elects its own President, as well as the member or members who are to preside in case the President should be prevented.

§ 39. The meetings of the Things are public; nevertheless the Government, or the President, or a number of the members —to be fixed by the rules of the proceedings —may demand that all strangers shall leave, whereupon the Thing decides whether the matter shall be discussed in a public or in a secret meeting.

§ 40. The Resolutions of the Rigsraad are in the Danish language. During the discussion those members who wish it may use the German language. The Protocol is conducted in both languages.

§ 41. All the Ministers have free access to each of the Things, and have the right of speaking in the course of the discussion as

Observations.

Identical with § 44 of the Charter of 1855.

Identical with § 43 of the Charter of 1855.

§ 36 of the Charter of 1855 prescribed a fixed annual compensation of 500 dollars.

Identical with § 35 of the Charter of 1855.

This enactment is identical with § 42 of the Charter of 1855.

This part of the paragraph, from "Every new member," is quite a new enactment.

Essentially the same was enacted in § 25 of the Charter of 1855.

The same was enacted in § 38 of the Charter of 1855.

According to § 37A of the Charter of 1855 the President and Vice-President were appointed by the King.

The corresponding § 39 of the Charter of 1855 merely states: "The Rigsraad itself decides whether and how its proceedings shall be made publicly known."

This section is identical with the first part of § 38 of the Charter of 1855.

Identical with § 40 of the Charter of 1855.

Observations.	*Fundamental Law, &c.*
	often as they wish, whilst for the rest they observe the established rules for the proceedings. They exercise the right of voting only when they are members of the Thing in question.
The quorum fixed by the Charter of 1855, § 37B, was 41, or "more than one half."	§ 42. No resolution can be passed in either Thing unless one-third of its members are present.
The Charter of 1855 did not expressly guarantee this right to the members of the Rigsraad.	§ 43. Every member of the Rigsraad can in the Thing to which he belongs, and with its consent, bring any public matter which is within the competency of the Rigsraad, under discussion, and ask explanations from the Ministers.
Essentially identical with § 41 of the Common Charter of 1855.	§ 44. No petition is to be brought into either of the Things except through one of its members.
Essentially identical with § 46 of the Charter of 1855.	§ 45. Each of the Things has the right of presenting Addresses to the King oncomm on affairs.
This first part of § 46 is identical with the first part of § 45 in the Charter of 1855. The Rigsraad of 1855 did not possess this privilege.	§ 46. Law-projects are brought in by the Government by order of the King. Each of the Things has the right of proposing and, as far as itself is concerned, of passing laws.
The corresponding section of the Charter of 1855 (§ 45) also required three readings, but enacted besides certain important restrictions on the discussions, which the new Law has done away with. "At the first reading the law-project is discussed in its general bearings; at the second reading amendments can be proposed and a vote taken on them; at the third reading the law-project is brought in by the Government in the form which they should think best after the result of the second reading; and at the conclusion of the discussion a vote is only taken on the adoption or the rejection of the Bill as a whole." Inasmuch as the Rigsraad of 1855 consisted only of one Chamber, the Charter of 1855 did not contain any enactment corresponding to § 48 of the new Law.	§ 47. No law-project can be finally adopted by either Thing before it has been discussed there three times. § 48. When a law-project has been adopted in one Thing it shall be sent to the other Thing in that shape in which it has been adopted. If adopted by the other Thing without alterations, it shall be sent to the Government in order to be submitted to the King for his approbation. If the law-project should be adopted in the other Thing with modifications, it returns to the Thing where it was first adopted, and is there submitted to only one reading. If adopted here with modifications, it is again sent to the other Thing to be read once. If still no agreement should be attained the law-project is rejected, unless one of the Things should demand a Joint Committee. The Joint Committee, which shall consist of an equal number of members of each Thing, shall draw up a joint Report on the points of difference. The final decision takes place in each Thing separately, with reference to the propositions of the Joint Committee.

Fundamental Law, &c.	*Observations.*
With regard to money-bills the rule laid down in § 57 shall be observed.	
IV.	
§ 49. No foreigner can obtain the right of citizenship except by law.	Identical with § 47 of the Charter of 1855.
§ 50. No "common" tax can be imposed, altered, or abolished, nor any "common" loan be contracted, except by law.	Identical with § 48 of the Charter of 1855.
§ 51. Every ordinary or extraordinary draft of men for the army or the fleet shall be authorized by law.	§§ 51, 52, and 53 are essentially identical with the corresponding §§ 49, 50, and 51 of the Charter of 1855.
§ 52. No "common" domain can be alienated, nor any such property acquired, except by law.	
§ 53. The right of the King to coin money is to be exercised in accordance with the law.	
§ 54. The ordinary "common" revenues and expenses shall be regulated by the temporary Normal Budget of February 28, 1856, as modified by the laws which have been passed since.	The corresponding § 52 of the Charter of 1855 merely prescribed in a few words that there should always be a Normal Budget, to be altered only by law, and biennial supplementary appropriations.
When a particular item of revenue or expenditure ceases to be in common for the whole Monarchy, the validity of the Normal Budget with regard to that item shall cease at the expiration of the financial term. It will then have to be decided by law whether the particular item of revenue or expenditure shall be reintroduced in the Normal Budget, or be the subject of a supplementary appropriation for the biennial financial term. The Normal Budget can be altered or entirely abolished by law. For every biennial financial term the extraordinary revenues and expenses are to be voted in the form of supplementary appropriations, even if the subject of these appropriations should come under a separate law.	The passage in the new § 54, "When a particular item," &c., is an entirely new enactment, caused by the present uncertainty of the financial relations to Holstein:
No expenditure can take place which is not warranted by the above financial laws.	The enactment opposite corresponds verbally to the 1st section of § 54 in the Charter of 1855.
§ 55. The amount by which the common expenses for Denmark Proper and Schleswig exceed their common revenues shall be made good out of their separate revenues, Denmark Proper defraying 79·61 per cent. and Schleswig 20·39 per cent. of the said amount. Any alteration in the numerical proportion to be enacted by law.	The principle expressed in this paragraph is identical with that laid down in § 53 of the Charter of 1855; only the figures are different, as the Law of 1855 embraced also Holstein and Lauenburg.
§ 56. As soon as the ordinary session of the Rigsraad is opened, the Government shall submit to both Things a complete statement of all the common revenues and common expenses for the following financial term with reference to the Normal Budget and the propositions for supplementary appropriations.	This paragraph, which has been necessitated by the establishment of a second Chamber, is entirely new.
The propositions for supplementary appropriations may be first submitted either to the	

Landsthing or to the Folkething, and shall, as much as possible, be equally distributed between them.

If a bill for a supplementary appropriation should be referred for the second time to that Thing in which it was discussed last, and still no agreement should be attained, a Joint Committee shall invariably be appointed, for which each Thing chooses fifteen members, and the election shall be conducted in accordance with the Rules contained in the Provisional Electoral Law of October 2, 1855, for the elections of members for the Rigsraad, and in conformity with the particular prescriptions of the President of each Thing for the carrying out of the said Rules. This Joint Committee shall then discuss the points of difference, and take the final decision for the Rigsraad. In case of the votes of the Committee being equally divided, the vote of the President decides the question. For the rest the Committee adopts its own Rules for its proceedings.

The enactments of this paragraph are essentially identical with those of § 55 of the Charter of 1855, and in conformity with existing practice.

§ 57. The final approbation of the State accounts is to be given by a law. The Bill for such approbation shall be submitted to the Folkething first.

For the revision and decision of the accounts of the various branches of the Administration a Court of Accounts shall be erected by law. This Court shall also watch that no expenditure takes place without sufficient authority (§§ 54 and 58), and also report on the State accounts. Until the erection of such a Court has taken place the Report on the State accounts shall be drawn up by four salaried revisers, of which each Thing appoints two. These revisers shall have the power of demanding the communication of all necessary information.

The report on the State Account shall be submitted to the Rigsraad, together with the Bill for a definitive approbation of the said accounts.

Essentially identical with the second part of § 57 of the Charter of 1855.

§ 58. Under particularly pressing circumstances the King can, if the Rigsraad is not in Session, decree the defraying of expenditures which have not been voted. The proposition for such a decree must be adopted in the Conference of Ministers as prescribed in § 19, before submitted to the King in the Privy Council. The resolution of the King shall be countersigned by those Ministers who agree to it.

The Decree shall be submitted to the Folkething in the next following Session, which Thing then decides whether those Ministers who have countersigned the Decree shall be made responsible for it before the Court of the Realm.

Fundamental Law, &c.	*Observations.*
§ 59. In the same manner, the King can in particularly pressing cases, when the Rigsraad is not in Session, on the proposition of the Conference of Ministers (compare § 58), issue provisional Laws, which, however, must not be against the Constitution. Such laws shall always be submitted to the vote of the Rigsraad in the next following Session.	Identical with § 56 of the Charter of 1855.
V.	
§ 60. The Court of the Realm consists of the Landsthing, and nine of the highest judges in the territories, of which six are to be chosen by the "Highest Court" of Denmark Proper, and three by the "Court of Appeal" of Schleswig, all amongst their own members. The election is for eight years. Until the procedure of this Court can be arranged by law, the Law of March 3, 1852, shall be followed, with the modifications made necessary by the different composition, and which the Court itself has to prescribe.	This is a new paragraph.
§ 61. The Court of the Realm has jurisdiction in the cases raised by the King or the Folkething, against Ministers for the conduct of their office. The King cannot, without the consent of the Folkething, remit the Ministers the punishment imposed upon them by the Court of the Realm.	The prescriptions of this paragraph were found in §§ 12 and 18 of the Charter of 1855.
§ 62. The King can, with the consent of the Folkething, order also other persons than Ministers to be tried before the Court of the Realm for State crimes which are deemed particularly dangerous.	Identical with the first part of § 13 of the Charter of 1855.
§ 63. Questions concerning the limits of the competency of the authorities are to be decided by the Courts of Justice. No person can, however, be dispensed from temporarily obeying the order of the authorities, by bringing the question before the Courts of Justice.	By the Charter of 1855 (§ 20), such questions were reserved for the decision of the King in Privy Council.
§ 64. The exercise of the judicial power cannot be altered except by law.	This prescription was in the main contained in § 13 of the Charter of 1855.
VI.	
§ 65. Alterations in this Fundamental Law can be adopted by the Rigsraad only when more than one-half of the members of each Thing vote for them.	§ 57 of the Charter of 1855 required for such changes the presence of three-fourths of the members, and the vote of, at least, two-thirds.
§ 66. This Fundamental Law shall take effect from the 1st of January, 1864.	

Temporary Provisions.

Until the relations between the Kingdom of Denmark Proper and the Duchy of Schleswig, on the one side, and the Duchies of Holstein and Lauenburg, which belong to the German Confederation, on the other side, have been arranged with the consent of the Rigsraad, the following temporary provisions, which may be altered by law, shall in that respect be observed as far as Denmark Proper and Schleswig are concerned:—

1. If the Rigsraad should adopt a new Law concerning a "common" affair, which also embraces Holstein, and which has reference to a matter in which the community cannot be maintained except through a uniform legislation, and the said new Law contains the express stipulation that it shall not take effect for Denmark Proper and Schleswig unless a corresponding Law at the same time can be issued for Holstein, then such Law cannot be confirmed by the King till the condition has been fulfilled.

If the condition is fulfilled, and the Law in question is sanctioned by the King, the community continues under the two new concordant Laws.

If the Law should not be sanctioned before the ensuing session of the Rigsraad, then it is cancelled.

2. If the Rigsraad should adopt a law of the said description without any condition of the kind described, and should the King sanction the same without any corresponding Law having been passed for the Duchy of Holstein, then the matter of which the Law treats becomes a "common" affair for Denmark Proper and Schleswig alone. In that case such measures shall be taken as may be a necessary consequence of the former community with Holstein having ceased to exist in so far.

3. Concerning "common" affairs, having reference to matters in which the community can be maintained in spite of diversity of legislation, the Rigsraad can vote and the King sanction Laws for Denmark Proper and Schleswig alone, without the community being dissolved on that account.

4. Expenses which are in common for the whole Monarchy are defrayed out of its common revenues. If there be an excess of revenue over the expenditure, 78·69 per cent. shall be carried to the credit of the common exchequer of Denmark and Schleswig.

5. Those additions to the items of expenditure specified in the Normal Budget which according to the Normal Budget and the supplementary laws since passed, are deducted from the revenues in advance, are voted by the Rigsraad only in so far as they concern the administration of the affairs in question in Denmark Proper and Schleswig.

6. The necessary additions to the other items of expenditure under the Normal Budget for matters which are in common also for Holstein are voted by the Rigsraad in a sum corresponding to 78·69 per cent. of the whole amount

If the vote should have been made dependent on the remaining 21·31 per cent. of the whole amount being defrayed by Holstein, then this should be expressed by the vote itself. If such a condition in that case remains unfulfilled, the vote is cancelled.

7. If, on the contrary, the vote has been given without any such condition, the corresponding contribution from Holstein is nevertheless to be procured.

If the Government should fail in so doing, or only partially succeed, the amount voted by the Rigsraad may, nevertheless, be employed in accordance with the vote; but in that case, the fraction of the common expense which has been defrayed without a corresponding contribution from Holstein, shall be brought into account as a common expenditure for Denmark Proper and Schleswig alone.

It will have to be decided by law whether any matter or any branch of administration shall be excluded from the existing community, in consequence of such an occurrence or not.

8. With regard to the position of Lauenburg in the Monarchy in point of public law, the present state of things shall remain unchanged.

Given at our Castle of Christiansborg, November 18, 1863.

(Signed) CHRISTIAN R. (L.S.)

(Signed) C. HALL.
STEEN-BILLE.
WOLFHAGEN.
D. G. MONRAD.
CASSE.
FENGER.
ORLA LEHMANN.
C. C. LUNDBYE.

Inclosure 2 in No. 293.

Extract from M. Hall's Report to the King, dated November 18, 1863, *advising His Majesty to sanction the New Charter for Denmark and Schleswig.*

(Translation.)

ANOTHER consideration which had a decisive weight with the Government was that of our foreign relations. All the European Powers having expressed as their decided

opinion that the Danish Government should comply with the demands of the Confederation as long as these demands were confined to the Federal territories, we have by degrees been constrained to abolish the common Constitution, in so far as these territories were concerned, to grant them complete autonomy, and to concede to the Holstein Provincial Estates the position of an independent constitutional representation. But so much the more necessary has it become, that the limit, which the German Confederation must not under any circumstances overstep, should be broadly and distinctly marked both in theory and in practice.

That independence which is demanded for Holstein must also be conceded to the Danish parts of the Monarchy; if a right to secede from the common Constitution is claimed for Holstein, then the right of maintaining that common Constitution for themselves, and developing it in accordance with their interests, cannot be denied to Denmark and Schleswig; and if it is unquestionably true that Germany has no power to overthrow that common Constitution, neither can Germany have a right to force upon us a Constitution of the whole Monarchy, giving to Holstein an unjust and overbearing position with regard to the other parts of the Monarchy.

If this right is denied us, Denmark descends at once from the position it has hitherto maintained as an old and independent State, to that, not even of a part of Germany, but of a mere humble vassal of the Confederation.

It is this right to which the proposed new Constitution gives a definite expression and a practical application, without for a moment transgressing it.

No. 294.

Count Manderström to Baron Beck-Friis.—(Communicated to Earl Russell by Baron Beck-Friis, November 27, 1863.)

Stockholm, le 20 *Novembre,* 1863.

LE télégraphe nous a apporté hier la nouvelle que le Prince d'Augustenbourg, en vertu d'une renonciation de la part de son père à ses prétendus droits, a émis une Proclamation par laquelle il déclare avoir assumé le règne des Duchés de Slesvig et de Holstein.

On nous mande également que les Princes des branches Ducales de Saxe ont réconnu ce prétendant en sa dite qualité, et que le Grand Duc d'Oldenbourg a protesté contre la Succession dans les Duchés.

Toutes ces manifestations constituent autant de dérogations à la Convention de Londres du 8 Mai, 1852, conclue dans le but d'assurer l'ordre de Succession dans le Royaume de Danemarc, et de sauvegarder l'intégrité et l'indépendance de ce Royaume, jugées nécessaires au maintien de l'équilibre politique de l'Europe.

L'intégrité de la Monarchie Danoise se trouve gravement menacée par la tentative de de lui arracher le Duché de Holstein, qui forme un des plus beaux fleurons de cette Couronne.

L'indépendance de cette Monarchie éprouve une atteinte non moins compromettante par la prétention de Princes Allemands de décider du sort du Duché de Slesvig, qui n'a jamais appartenu à l'Empire Romain, ni à la Confédération Germanique.

Il ne s'agit plus d'une Exécution Fédérale dans l'une des provinces faisant partie de ce corps d'Etats, mais de mesures à adopter pour détacher les Duchés de Slesvig et de Holstein de la Couronne Danoise, au profit d'un Prince apanagé Allemand.

Cette question, nous n'en doutons pas, sera portée devant le tribunal de la Confédération, qui pourrait être induite à s'arroger le droit de statuer même sur le sort d'un pays non-Allemand.

Dans cet état de choses, le Gouvernement du Roi, en sa qualité de co-signataire de la Convention de Londres, se croit autorisé à s'adresser aux Puissances qui ont également signé ce Traité, pour être renseigné sur leurs intentions à ce sujet. Ce n'est point qu'il puisse concevoir un seul instant l'idée qu'aucune d'elles puisse nourrir le dessein de faillir à des engagements aussi solennels; mais il pense qu'il ne serait point sans utilité que les Puissances signataires se concertassent sur la ligne à suivre, et sur les mesures à adopter pour empêcher le dépouillement d'un Prince dont les droits sont reconnus par elles, et pour écarter le péril menaçant la balance de la politique Européenne.

Je vous engage, M. le Baron, à faire lecture de la présente dépêche à M. le Principal Secrétaire d'Etat de Sa Majesté Britannique, et à lui en laisser une copie, en exprimant l'espoir du Gouvernement du Roi de recevoir de sa part une communication au sujet de cette importante affaire.

(Signé) MANDERSTRÖM.

(Translation.)

Stockholm, November 20, 1863.

THE telegraph conveyed to us yesterday the information that the Prince of Augustenburg, in virtue of a renunciation on the part of his father of his pretended rights, has issued a Proclamation by which he announces that he has assumed the sovereignty of the Duchies of Schleswig and Holstein.

We are likewise informed that the Princes of the Ducal branches of Saxony have recognized this claimant in his assumed title, and that the Grand Duke of Oldenburg has protested against the Succession in the Duchies.

All these manifestations constitute as many derogations from the Convention of London of the 8th of May, 1852, which was concluded with a view to assure the order of Succession in the Kingdom of Denmark, and to secure the integrity and independence of that Kingdom, which was considered to be essential to the maintenance of the political equilibrium of Europe.

The integrity of the Danish Monarchy is gravely menaced by the attempt to snatch from it the Duchy of Holstein, which forms one of the fairest ornaments of that Crown.

The independence of that Monarchy experiences an attack no less compromising from the pretension of the German Princes to decide the lot of the Duchy of Schleswig, which never belonged to the Roman Empire or to the Germanic Confederation.

It is no longer a question of Federal Execution in one of the Provinces forming a part of that body of States, but of adopting measures for detaching the Duchies of Schleswig and of Holstein from the Danish Crown, for the benefit of a Prince who holds a German appanage.

This question, we doubt not, will be carried before the tribunal of the Confederation, which might even be induced to arrogate to itself the right to determine the lot of a non-German country.

In this state of affairs, the King's Government in its position of co-signatary of the Convention of London, considers itself authorized to address itself to the Powers who have also signed this Treaty, in order to be informed of their intentions on this subject. It is not that it can for a moment conceive the idea that any of them can entertain an intention of failing in engagements so solemn; but it considers that it would not be without advantage if the signing Powers were to concert as to the line to be followed, and the measures to be adopted to prevent the despoilment of a Prince whose rights are recognized by them, and to avert the danger which menaces the balance of European policy.

I request you, M. le Baron, to read this despatch to His Britannic Majesty's Principal Secretary of State, and to leave a copy with him, and express the hope of the King's Government that it may receive from him a communication on the subject of this important matter.

(Signed) MANDERSTROM.

No. 295.

Lord A. Loftus to Earl Russell.—(Received November 27.)

My Lord, *Munich, November* 23, 1863.

I HAD a long conversation with Baron Schrenk on Saturday last on the menacing attitude which affairs were assuming on the question of the Danish Duchies.

His Excellency informed me that he had just received intelligence of the occurrences which had taken place that day in the Diet at Frankfort, and of the claims put forth by Prince Frederick of Augustenburg to accredit a Minister to that Body in opposition to the King of Denmark. He further stated that a petition had been presented by the Courts of Saxony, Anhalt, and Mecklenburg, claiming their rights of Succession to the Duchy of Lauenburg, and further that Austria and Prussia had entered a protest against the newly voted joint Constitution for Denmark and Schleswig.

I inquired of his Excellency what course the Bavarian Government intended to pursue with reference to the complicated and serious state of affairs. Baron Schrenk replied that the Bavarian Government would maintain the same position which they had taken up in 1852, when the Treaty of London was submitted for their acceptance. He considered that the question was one for the Diet to determine, and the Diet could not do so without investigating the rights of both parties. He had therefore instructed the Bavarian Minister at Frankfort to propose that the claims of the King of Denmark and of Prince Frederick of Augustenburg should be referred to a Select Committee, and that pending the decision of the Diet, the Federal vote for Holstein should be held in abeyance

Baron Schrenk then referred to the course which had been taken in 1852. Great Britain and the other Powers, parties to the Treaty of London, had, he said, agreed to submit the Treaty to the Diet on condition that it should not form a subject of discussion, but as the Diet could not adhere to a Treaty affecting the rights of German Princes without examining the motives which had determined it, and the grounds on which the decision had been taken, it was finally agreed not to submit the Treaty to the Diet as a Body, but to obtain the separate adhesion to it of the several States of the Confederation.

Some had accepted with reserves; others, and among them Bavaria, had declined to accede to it. The question, his Excellency observed, was now brought to a point, and the Diet would have to decide which of the two Ministers, who had presented their credentials, should be recognized as the Representative of the rightful Sovereign.

I observed to his Excellency that the Treaty of 1852 had been signed by the two Great German Powers, and had been also accepted by Hanover, Wurtemberg, and Saxony.

The object of that Treaty had been to provide for the maintenance of the integrity of Denmark in the general interests of Europe and for the preservation of peace, and I trusted therefore that the Bavarian Government, duly recognizing the importance of the object in view, would not now hesitate to recognize that Treaty, and to co-operate in carrying out its provisions.

Baron Schrenk replied that there was great excitement throughout all Germany, and among all classes of Germans on this question. It was a chord which most sensitively affected the whole German nation. The German Governments were therefore placed in great embarrassment as to the course to be pursued. He stated that a popular meeting was to take place at Augsburg to-day to petition the Government in favour of the rights of Prince Frederick of Augustenburg.

Similar demonstrations were announced to take place in this capital, Nuremberg, and at other places. The same popular feeling would be manifested throughout the length and breadth of Germany.

The question will, therefore, arise how far will the German Governments be able to resist the popular will? and how far would it be safe for them to do so?

I observed to his Excellency that a question of such political and European importance as the one now at issue should be determined by calmness, reason, and prudence, and not under the influence of feverish excitement.

Some delay must necessarily take place before the Report of the Diet could be presented, and it was to be hoped that in the meantime the present popular excitement and agitation would abate.

In referring to the claims of Prince Frederick of Augustenburg, Baron Schrenk stated that there had been no formal renunciation of rights by the Duke of Augustenburg in favour of his son; Denmark at the time refusing to accept any such document, on the grounds that it would have implied a recognition of rights of which the Danish Government had never admitted the validity.

The Duke of Augustenburg had merely undertaken to offer no opposition to the arrangements then entered into.

Baron Schrenk also observed that it was a question how far the rights of Prince Frederick of Augustenburg were invalidated by the marriage of the Duke of Augustenburg with Countess Danneskiold, and he had also some recollection of having heard that the rights of the Duke of Augustenburg were also called in question in consequence of a marriage contracted by one of his ancestors; but his Excellency said that these points would be investigated and decided by the Diet.

In reply to my inquiry as to whether he was informed of the views of the Cabinets of Vienna and Berlin on the question of the Holstein Succession, Baron Schrenk stated that he had received no information whatever either from Berlin or Vienna bearing on this subject. He expressed himself as very anxious to know what course would be adopted by the Prussian Chambers, which last year had declared their indisposition for a war against Denmark under the Bismarck Ministry.

He referred, however, to an article from a newspaper, supposed to be the Prussian Ministerial organ, which stated that Austria and Prussia were freed from the engagements of the Treaty of 1852 in consequence of Denmark having failed to fulfil the engagements she had taken towards Germany.

I observed to his Excellency that Austria and Prussia had not alone taken engagements in the Treaty of 1852 towards Denmark, but that they were equally bound as co-signers of that Treaty to England, France, and Russia, and that consequently they could not violate those engagements without a breach of faith.

My German colleagues are of opinion that a war between Denmark and Germany is

inevitable, whether it be undertaken in favour of the Succession of the Prince of Augustenburg or to enforce the fulfilment by Denmark of the engagements taken towards Germany in 1852.

I have, &c.
(Signed) AUGUSTUS LOFTUS.

No. 296.

Mr. Gordon to Earl Russell.—(Received November 27.)

(Extract.) *Stuttgardt, November 23, 1863.*

I, THIS morning, received your Lordship's telegram of yesterday* on the subject of the pretensions of the Prince of Augustenburg, and I sought and obtained an interview with Baron Hügel, in order to inform his Excellency of the substance of your Lordship's communication.

When I had done so, Baron Hügel said that, in the first place, Wurtemberg had acceded to the Treaty of 1852 on condition that Denmark should fulfil the promises she had made with regard to the administrative union of the Duchies of Schleswig and Holstein; but that for the last ten years Denmark had caused constant trouble to Germany by refusing to act up to these promises, and that now, by the enactment of the new general Constitution for Denmark and Schleswig, she had rendered it impossible to do so; that, secondly, there being two claimants of one of the German Sovereignties, the Diet of Frankfort was assuredly the proper authority to decide between them, and that therefore Baron Hügel did not see why Her Majesty's Government should be offended at this question having been referred to it, inasmuch as it had been no party to the Treaty of London of 1852; and thirdly, Baron Hügel suggested that there was more than one Sovereign, at the present moment, whose possession of their thrones had been guaranteed by the Great Powers, but who, notwithstanding, were now deposed and banished from their States.

To the first of the above objections I replied, that whatever promises Denmark may have made (and she was assuredly blameable if she had not fulfilled them) none were noted in the Treaty of London as conditions of its being carried into effect, and Her Majesty's Government had every right to insist on its being so, quite irrespective of any other engagements into which Denmark may have entered.

In answer to the second objection, I begged Baron Hügel to observe that Her Majesty's Government did not contest the right of the Diet of Frankfort to discuss the subject of the Succession to the Grand Duchy of Holstein; they only expressed their regret that such should be the case, and that the true point of the communication I had had the honour to make to his Excellency was the statement of the expectation of Her Majesty's Government that Wurtemberg would, in the discussion of the above question, act up to the engagements she had undertaken, in acceding to the Treaty of London of 1852; and with reference to Baron Hügel's third objection, I could only remark that, unless bound by distinct obligations, Her Majesty's Government were not in the habit of enforcing Treaty stipulations which did not materially bear upon British interests.

I then repeated to Baron Hügel that Her Majesty's Government expected that the Government of Wurtemberg would, in the discussion by the Diet of Frankfort of the pretensions of the Prince of Augustenburg, act up to their engagements, and support the claims of King Christian IX to the sovereignty of the Duchies; and I requested his Excellency to let me know what the decision at Stuttgardt on this point would be.

Baron Hügel said that he could give me no information on this point, because he must first know the result of the deliberations of the Committee of the Diet, and especially the determination to which Austria and Prussia should come on the subject.

I said I would transmit this information to your Lordship, and that I hoped to know, as soon as possible, what had been determined on.

Baron Hügel then proceeded to lay before me, in some detail, the difficult position in which this Government found itself. He said that the excitement upon the subject throughout the country was excessive; that he was in the constant receipt of telegrams, couched in the strongest terms, calling upon the Government to come forward in defence of German honour, right, and interest, involved as all three were in the Succession of the Prince of Augustenburg to the Throne of Schleswig-Holstein; that men of all parties and conditions, Conservatives and Radicals, bankers and the monied interest, as well as men of humbler fortune, professors and lawyers, as well as the uneducated, all united in raising the same cry, and forcing on the Government the necessity of action in the line demanded

* See No. 274.

by the whole German people. His Excellency gave me instances of the impossibility of disregarding the popular demand, and finished by saying that it had become what he termed a "dynastic" question, that is to say, the Crown would be endangered if the Government did not yield to the popular will; that perhaps respect for the aged King might prevent any outbreak at present, but that His Majesty's son would, in such case, never succeed to the Throne.

I feel convinced, my Lord, that the crisis is a most serious one, and that it must depend entirely upon the decision arrived at at Berlin and Vienna what the issue may be.

In the meantime I will continue to hold language in conformity with the despatches I have received from your Lordship.

I again learn that one of the first acts of the Wurtemberg Diet to-morrow is expected to be a question addressed to the Government on the above subject, or a substantive motion conceived in the sense of the Resolution adopted by the public meeting at Stuttgardt on the 20th instant, as reported in my previous number of this morning.

Although the Baden Government refused in 1852 to accede to the Treaty of London, I have thought it right to instruct Mr. Baillie to state verbally to Baron Roggenbach the substance of your Lordship's telegram of yesterday's date, on the chance, rather than the hope, that this expression of the views of Her Majesty's Government may have some influence on the Grand Ducal Government, and induce them to pause in the hazardous course upon which they seem to have entered.

I have, &c.
(Signed) G. J. R. GORDON.

No. 297.

Mr. Gordon to Earl Russell.—(*Received November* 27.)

My Lord, *Stuttgardt, November* 25, 1863.

THE Wurtemberg Legislative Chambers met yesterday after a prorogation of eighteen months.

After some preliminary routine business and the announcement that Herr Römer, who had held the office of President of the Lower Chamber since 1848, had found it necessary from increasing years and infirmity to lay down that office, the Chamber proceeded immediately to take into consideration the motion brought forward by Deputy Hölder on the affair of Schleswig-Holstein, and which I have the honour to inclose in translation herewith.

After some debate, which was conducted throughout in a spirit of calm determination, the above motion was adopted unanimously by the Chamber, all the Members of which were present.

I believe the motion will be sent to the Upper Chamber for their adhesion to it, which it will in all probability obtain.

It appears to have been arranged that the Minister of Foreign Affairs should receive no notice of the proposed motion, and his Excellency was not therefore present at the Sitting, in order that Government should escape the necessity of answering any disagreeable questions which might be put. This precaution seems not to have been unnecessary, as Deputy Hölder, in bringing forward his motion, is reported to have expressed doubts as to a current calumnious reproach, as he hoped it would turn out to be, against this Government for having acceded to the Treaty of London of 1852.

The Upper Chamber met merely as a matter of form.

I have, &c.
(Signed) G. J. R. GORDON.

Inclosure in No. 297.

Motion passed unanimously by the Wurtemberg Chamber of Deputies with respect to Schleswig-Holstein.

(Translation.) *Stuttgardt, November* 24, 1863.

TO petition the Royal Government to interfere in the affair of Schleswig-Holstein with all the means at their disposal, and prescribed by the great national object at stake for the rights of Germany and of the Duchies of Schleswig and Holstein, and to this end :—

1. To maintain the constant union of the Duchy of Holstein with the Duchy of Schleswig, and the similar union of the Government of the two Duchies according to German right in the male line, to insist upon the separation of the Duchies from the Kingdom of Denmark, and to recognize Duke Frederick of Schleswig-Holstein.

2. To use their efforts as regards the acts of Government of King Christian IX of Denmark, by which the rights of Germany are already infringed, that this attack be repelled by the immediate occupation of both Duchies.

No. 298.

Sir A. Malet to Earl Russell.—(Received November 27.)

My Lord, *Frankfort, November 24, 1863.*

PROPOSITIONS were made in the Diet's sitting of Saturday the 21st instant, relating to the Danish question, in such number, and so many protests entered by the Danish Envoy, that the voluminous nature of the documents will account for the lateness of my report to your Lordship on the points which seem deserving of attention.

First in order came the protest of Austria and Prussia against the signature of the common Constitution for Denmark and Schleswig, which this protest assumes to be a formal violation of Denmark's engagements, and, as such, to be protested against; as also against all prejudice to the rights of the German Confederation which may ensue therefrom.

The Danish Envoy remarked upon this protest, that he apprehended it was founded on a wrong interpretation of the Act to which it referred, which did not materially change the relations of Schleswig to the Monarchy.

Hereupon followed the notification of the Baden Minister, to the effect that in virtue of a cession of his rights made by the Duke of Schleswig-Holstein-Augustenburg in favour of his son, Prince Frederick of Schleswig-Holstein had intimated to the Baden Government his succession to the Dukedoms, as consequent upon the death of the King-Duke Frederick VII; and that he assumed the Government by the title of Duke Frederick VIII of Schleswig-Holstein and Lauenburg.

M. Mohl, in the name of his Government, further called on the Diet, as this right of succession would probably be disputed, to enforce and defend it, and at once to consider how, in case of necessity, this right was to be protected and made valid. M. Mohl also presented his letters of credence as representing Duke Frederick VIII in the Diet.

The Envoy from the Saxon Duchies followed with a somewhat similar declaration as to recognition of the right of succession being in Prince Frederick, and called on the Diet to take measures to prevent any act of sovereignty being exercised in the Duchies on behalf of the King of Denmark; and further, to refuse recognition to any one named by His Danish Majesty to represent him in the Diet as Duke of Holstein. This proposition was made on behalf of Saxe-Weimar, Saxe-Meiningen, and Altenburg; and his Excellency added to the recognition of Prince Frederick by Saxe-Coburg, a special protest against the appearance in the Diet of the present Danish Envoy as Representative of Christian IX, and against his farther participation in the deliberations of the Diet.

The Oldenburg Minister reminded the Diet that the Assembly had not acceded to the London Treaty of May 8, 1852; that the international relations of the Diet and Denmark were regulated by the Agreements of 1851–52: but in neither case was the extinction of the Royal Danish line in male descendance provided for, in reference to the Federal law for the government of those lands which were united under the Danish sceptre.

His Excellency cited the Danish Royal Rescript of 31st July, 1853, saying that it regarded the Kingdom alone; for that as concerned the succession, the Representatives of the Provinces now forming part of the Kingdom were not (but ought to have been) consulted on so vital a question.

The Oldenburg Representative went on to say that the Common Constitution of October 2, 1855, promulgated by King Frederick, which also related to the succession to the Throne, was expressly rejected by the Diet, and its repeal demanded.

It was also argued that a new renunciation of the right of succession is not valid for the Diet, especially when made contrary to Article VI of the Final Act of Vienna, which provides that such renunciations can only be made in favour of a Confederate.

The Oldenburg Minister concluded by inviting the Diet to take such measures as,

under existing circumstances, seem requisite for maintaining the rights of the Provinces hitherto united with the Danish Monarchy, as well as all the rights of the Germanic Confederation.

Anhalt and Schwartzburg-Sondershausen adhered to the Oldenburg proposition.

Anhalt made a separate declaration in favour of certain rights of succession, claimed to be vested in the House of Anhalt, to the Duchy of Saxe-Lauenburg, and the lands of Hadeln, and declared not to recognize King Christian IX as Duke of Lauenburg.

The Danish Envoy entered the strongest protest against the Baden Minister's proposition, designating any claim by a member of the Augustenburg family as totally groundless and untenable.

As regards the cession of his assumed rights by the father to the son, his Excellency cited part of the Act by which Duke Christian Augustus, of Augustenburg, renounced all claim on those Duchies, in 1852, for himself and his descendants, pledging his Princely word and honour to that renunciation; but M. de Dirchinck did not state in the Diet, what seems to be of considerable importance, that the Duke received the sum of 1,500,000 double Danish dollars, equal to nearly 250,000*l.*, in exchange for that renunciation. Neither did his Excellency mention that there is no existing protest against his father's renunciation which could give a colour to his claim.

M. de Dirchinck made protests against all the other propositions made in this sitting of the Diet against Danish rights in the Duchies, and against the attempt to set up the Augustenburg claim.

All these propositions and protests are referred to the Holstein Committee.

I have, &c.
(Signed) A. MALET.

No. 299.

Sir A. Malet to Earl Russell.—(*Received November* 27.)

My Lord, *Frankfort, November* 25, 1863.

I HAVE the honour to forward to your Lordship Lord Augustus Loftus' despatch of the 23rd instant, which has reached me under flying seal.*

In reference to the conversation his Lordship reports with Baron Schrenk, it may not be unimportant to state to your Lordship that the Bavarian Envoy to the Diet, Baron von der Pfordten, desires that the Diet's measure of Execution in Holstein and Lauenburg should be converted into a seizure ("prise de possession") of those provinces, to be so held till the Diet has decided in whom is vested the right of Succession.

Coupled with his Excellency's already reported declarations against the right of Succession of King Christian IX, the tendency of this policy admits of no doubt. In the first place Denmark's right of resistance to an occupation of the Duchies on such a basis is indisputable. Secondly, before it could be entered on, a Federal Decree must be pronounced, changing the Execution into an openly hostile measure.

I made this remark to his Excellency, saying that it could not be intended to enter the Duchies as for Execution, and then declare that they were taken possession of for other previously undeclared objects, and his Excellency admitted the justness of my observation. M. von der Pfordten, however, in no degree retreated from his declaration of principle, and said that Germany risked revolution and the overthrow of the existing order of things if the Governments shrank from asserting their rights in their dispute with Denmark.

I have, &c.
(Signed) A. MALET.

No. 300.

Sir A. Malet to Earl Russell.—(*Received November* 27.)

(Extract.) *Frankfort, November* 25, 1863.

I BEG to annex duplicate copies of extracts from the "Europe" of this day's date containing the entire act of renunciation of his rights to the Succession in Holstein and Lauenburg, executed by Duke Augustus Frederick of Schleswig-Holstein, on the 30th of December, 1852.

* No. 295.

I also have the honour to annex the act of renunciation of the Grand Duke of Oldenburg, dated March 28, 1854, published in the same paper.

I found that the Danish Minister had made a partial communication of the first document to the Diet, and had laid before the Assembly part of the Grand Duke of Oldenburg's accession to the Treaty of London of the 8th of May, 1852, as well as his act of renunciation; but that neither of these important papers had yet been published. As these Acts are essentially public, and have such important bearings on the Dano-German dispute, it appeared to me that their publication at the present moment would produce considerable effect; and the Danish Minister partaking this view of the matter, has communicated them to the "Europe," there being difficulties in obtaining their insertion in the German papers.

It is to be hoped that the Cabinets of Vienna and Berlin will feel the serious nature of their obligations contracted by the Treaty of London, and weigh on the Diet in the decision of this question; but the strong and almost unanimous expression of public feeling which is manifesting itself in the matter in Germany make it a difficult task.

Your Lordship will remark the open defection of Oldenburg after acceding to that Treaty, and the greatest efforts are made to induce the other German States which are parties to it to hold themselves liberated from their engagements on the ground that the Danish Government has broken faith with Germany in regard to the stipulations of 1851-52, and especially in the recent signature of the Common Constitution of the Kingdom, which it is argued virtually incorporates Schleswig.

Inclosure in No. 300.

Extract from the "Europe" of November 25, 1863.

ACTE DE RENONCIATION DU DUC CHRETIEN AUGUSTE D'AUGUSTENBOURG.—Nous Chrétien Auguste, héritier en Norvège, Duc de Slesvig, de Holstein, de Stormarn, des Dithmarschen, ainsi que d'Oldenbourg, faisons savoir et reconnaissons par le présent que nous avons pris, aux conditions suivantes, pour nous, nos héritiers et nos descendants, relativement à la cession respective et à la prise de possession de toutes les terres et propriétés Ducales des Augustenbourg situées dans l'Ile d'Alsen et le Duché de Slesvig, un arrangement avec le très auguste, très puissant Prince et Seigneur Frédéric VII, Roi de Danemark, des Wendes et des Goths, Duc de Slesvig, de Holstein, de Stormarn, des Dithmarschen et de Lauenbourg, ainsi que d'Oldenbourg, &c., notre très gracieux Roi et Maître.

1. Nous cédons et transmettons, pour nous, nos héritiers et nos descendants, tous les droits qui nous reviennent sur les terres et propriétés Ducales des Augustenbourg dans l'Ile d'Alsen et sur la terre ferme du Duché de Slesvig, c'est-à-dire, notamment sur les terres d'Augustenbourg et de Rumohrsgaard; puis sur Evelgunde, Gammelgaard, Gundstrup, Kekenisgaard, Langenvorwerk, Maibullgaard, Rönhave, et Werthemine, avec le château de Sonderbourg qui en dépend; et enfin sur Aubüllgaard, Aarup, Kielstrup, Fischbeck, Gravenstein, et Kieding, avec leurs dépendances dans les limites et démarcations où sont situées les dites terres et propriétés, avec tous les châteaux, palais et édifices qui se trouvent sur ces terres et appartiennent aux propriétaires de ces dernières, et avec tout ce qui, dans ces terres, tient au sol, aux murs, à fer et à clou, notamment aussi avec le total de l'inventaire en bétail et matériel de labour et d'exploitation nous appartenant, ainsi qu'avec tous les immunités et priviléges attachés à ces terres, aussi bien qu'avec tous les droits et priviléges dont nous disposons à l'égard des gens faisant partie de ces terres, et dans ce nombre il faut comprendre les fermiers temporaires—que ces droits et privilèges soient fondés sur des contrats ou sur la tradition, ou de toute autre manière—et avec tous les droits et immunités se rattachant aux terres et propriétés susdites, particulièrement avec le *jus patronatûs*, mais aussi avec toutes les impositions, corvées et charges qui reposent sur ces terres; tout cela, nous le cédons et transmettons à Sa Majesté Royale de Danemark et à ses héritiers, de telle manière que Sa Majesté et ses successeurs au Trône posséderont ces terres et propriétés à partir d'aujourd'hui, tranquillement et sans conteste, percevront intégralement tous les droits, prix de ferme et autres revenus à échoir, dès à présent et useront librement du tout sans entrave aucune, tout comme des autres propriétés de la Couronne.

2. En outre, non seulement nous nous engageons par le présent, en ce qui concerne notre personne et notre famille, à établir désormais notre séjour en dehors du Royaume et pays de votre Majesté Royale, pays où, comme il s'entend de soi-même, nous et nos descendants nous ne pouvons ni ne voulons acquérir des propriétés foncières; mais

3. Nous faisons vœu et promettons encore, sur notre parole et notre honneur de Duc, pour nous et notre famille, de ne rien entreprendre qui puisse troubler ou mettre en péril la tranquillité dans le Royaume et pays de votre Majesté, et aussi de ne nous opposer en aucune manière aux mesures prises ou à prendre par votre Majesté Royale relativement à l'ordre de Succession pour tous les pays actuellement réunis sous son sceptre, ou à l'organisation éventuelle de la Monarchie Danoise.

4. La cession et la transmission susmentionnées des droits qui reviennent à nous et à nos héritiers sur les terres et propriétés Ducales des Augustenbourg, dans l'Ile d'Alsen et sur la terre ferme du Duché de Slesvig, de même que les obligations assumées par nous, comme il est indiqué plus haut, à l'égard de votre Majesté Royale, et les promesses solennelles et assurances faites à votre Majesté, tout cela votre Majesté Royale l'accepte expressément pour elle, ses héritiers à la Couronne et ses successeurs, et nous fait, en revanche, pour elle et ses successeurs, les promesses et assurances suivantes :—

5. Votre Majesté consent à nous faire remettre, comme indemnité pour les terres et propriétés plusieurs fois mentionnées que nous avons cédées à la Couronne de Danemark de notre plein gré,—successivement 1,500,000 doubles rixdales dont $9\frac{1}{4}$ pièces font un marc d'argent fin de Cologne. Pour cette somme, qui remplace les propriétés Ducales mentionnées des Augustenbourg dans l'Ile d'Alsen et sur la terre ferme du Duché de Slesvig, votre Majesté, en tant que la somme n'est point encore payée, nous soldera une rente semestrielle de 2 pour cent, et le montant total sera versé entre nos mains de telle sorte que de six en six mois, à la St. Jean et à la St. Nicolas, et cela pour la première fois à la St. Nicolas 1852, il nous sera payé une somme de 75,000 doubles rixdales, lisez soixante-quinze mille doubles rixdales, dont on déduira les intérêts échus, en sorte que le reste sera considéré comme à compte sur le capital. Ainsi, le dernier terme restant de la dette sera payé à la St. Jean 1865, et par là la dette totale de 1,500,000 doubles rixdales devra être complétement amortie et réglée.

Votre Majesté Royale a émis en conséquence, conformément à l'annexe sub lit. A, une obligation principale, signée de sa propre main et paraphée par son Conseil d'État secret, pour 1,500,000 doubles rixdales, et cette obligation, votre Majesté nous la fera tenir contre remise de l'Acte de Cession et de Renonciation à dresser par nous conformément à l'annexe sub lit. B.

En outre, votre Majesté Royale consent, selon notre désir, à ce que, en égard à l'obligation principale mentionnée, des obligations partielles qui devront être signées par les Ministres de votre Majesté pour les finances et le Duché de Slesvig, soient émises jusqu'à concurrence du montant de l'obligation principale, à ce que chaque obligation partielle soit de 2,000, lisez deux mille doubles rixdales, et pourvue d'un coupon à intérêts au porteur ; de plus, à ce qu'un tirage semestriel devant avoir lieu à Copenhague, six semaines au plus tard avant le plus prochain terme, et dont résultat sera publié par un journal de Hambourg, détermine les obligations qui devront être payées lors du terme qui suivra le tirage ; enfin votre Majesté consent à ce que l'obligation principale, après que les obligations partielles auront été préparées, et avant qu'elles ne nous soient remises, soit déposée par nous dans l'établissement de la Compagnie Maritime de Prusse, avec autorisation pour cet établissement, non seulement de déduire le montant des obligations partielles remboursées et annulées de l'obligation principale, au moyen d'indications sur cette dernière, mais aussi de transmettre au Ministre des Finances de votre Majesté, ou à toute autre personne qu'elle désignera, l'obligation principale, avec toutes les obligations partielles remboursées, après que le montant de la somme totale aura été payé au moyen du remboursement et de la remise de toutes les obligations partielles. Votre Majesté consent en même temps à ce que le dit dépôt ne puisse être révoqué par nous, excepté dans le cas où nous aurons fourni la preuve à la Banque respective que le tirage fixé n'a pas eu lieu, ou que les obligations partielles tirées n'ont pas été remboursées, à leur présentation, selon les stipulations arrêtées.

6. De plus, votre Majesté Royale se charge des dettes contractées par nos ancêtres ou par nous, lesquelles sont exactement indiquées dans l'annexe sub lit. C, et qui s'élèvent à 418,569 thalers $28\frac{1}{2}$ schilling, lisez quatre cent dix-huit mille, cinq cent soixante-neuf thalers $28\frac{1}{2}$ schilling, ce qui équivaut à 334,855 doubles rixdales $40\frac{1}{2}$ schilling. En conséquence votre Majesté fera remettre aux créanciers désignés sub lit. C, les actes de reconnaissance nécessaires, et cela par l'intermédiaire de son Ministre pour le Duché de Slesvig ou par toute autre personne,—à moins que votre Majesté ne préfère amortir quelques-unes de ces dettes.

Les intérêts des différentes dettes lesquelles écherront après le jour de la signature de l'acte dressé par votre Majesté relativement au présent arrangement, de même que les impôts, taxes et charges reposant sur les terres et propriétés transmises à votre Majesté,

comme il est dit plus haut, votre Majesté les acquittera envers qui de droit, en tant qu'ils écherront après le jour susmentionné.

7. Votre Majesté Royale consent aussi à ce que les excédants qui résulteront jusqu'au 21 Mai de cette année, d'après l'annexe sub lit. D, de l'administration de votre Majesté, des terres et propriétés, que nous lui avons transmises, excédants se montant à 224,161 rix-dales 51 schilling, ou 112,080 doubles rix-dales 46 schilling, ainsi que les excédants qui se produiront du 21 Mai de cette année au jour de la signature de l'acte dressé par votre Majesté Royale relativement au présent arrangement—excédants au sujet desquels votre Majesté nous rendra en temps utile des comptes détaillés, que nous reconnaissons d'avance comme exacts, en renonçant formellement à toute objection à soulever, soient versés entre nos mains au comptant. Le paiement des excédants déjà constatés aura lieu aussitôt que nous aurons fait remettre à votre Majesté l'acte solennel de cession et de renonciation relativement à la cession et à la transmission à votre Majesté des terres et propriétés en question ; le paiement des excédants non encore constatés aura lieu, par contre, six semaines plus tard, ou aussitôt que la clôture des comptes aura eu lieu.

8. Votre Majesté Royale a consenti aussi à ce que les pensions et gratifications allouées jusqu'ici par nous aux personnes nommées dans l'annexe sub lit. E continuent à être accordées par la suite ; votre Majasté voudra donc faire payer ces pensions et gratifications au jour de l'échéance.

9. Enfin, votre Majesté consent à ce que les biens mobiliers qui nous appartiennent, et qui sont désignés dans l'annexe sub lit. F, soient livrés à la personne que nous désignerons pour en prendre livraison.

10. Les concessions mentionnées ci-dessus dans les chapitres 5 à 9 inclusivement, concessions que nous a faites votre Majesté Royale, nous les acceptons, et nous nous engageons ici, conformément à l'annexe susdite sub lit. B. à dresser un acte solennel de cession et de renonciation relativement aux biens cédés et transmis, ainsi qu'il est dit plus haut, et à faire parvenir cet acte à votre Majesté ; et nous renonçons, par le présent, contre accomplissement fidèle des promesses et assurances que votre Majesté a daigné nous faire, comme on l'a fait remarquer ci-dessus, à tous droits que nous pourrions déduire, pour les faire valoir contre votre Majesté ou ses fonctionnaires, de l'occupation par votre Majesté ou de l'administration, instituée par votre Majesté, des biens souvent indiqués, ou enfin de l'administration, de la jouissance ou de l'aliénation, ayant eu lieu dans l'intervalle, de nos biens mobiliers qui se trouvaient dans nos terres depuis le 23 Mars, 1848.

En conséquence; nous faisons vœu et promettons ici, pour nous, nos héritiers et nos descendants, de la manière la plus précise, d'observer, de notre côté, fidèlement toutes les stipulations concertées et arrêtées dans le susdit arrangement, et de ne jamais permettre que les nôtres agissent contrairement à ces stipulations ou entreprennent rien contre elles.

En foi de quoi, nous avons signé de notre main cet acte et l'avons revêtu de notre sceau princier.

Fait à Frankfort s. M., le 30 Décembre 1852.

(Signé) C. AUGUSTE, *Duc de Schleswig-Holstein.*

ACTE DE RENONCIATION DU GRAND-DUC D'OLDENBOURG.—NOUS, Nicolas Frédéric Pierre, par la grâce de Dieu, Grand Duc d'Oldenbourg, héritier en Norvège, Duc de Slesvig, de Holstein, de Stomarn, des Dithmarschen et d'Oldenbourg, Prince de Lubeck et de Birkenfeld, Seigneur de Jever et de Kniphausen, &c., &c.

Faisons savoir et reconnaissons par le présent, pour nous et nos descendants :—

Après que Son Altesse Royale, le Grand Duc Paul Frédéric Auguste, notre père mort en Dieu, rendant justice aux mobiles qui ont guidé les Hautes Puissances Contractantes lors de la conclusion du Traité de Londres en date du 8 Mai, 1852, et en considération des grandes difficultés relatives à la Succession éventuelle dans les pays soumis à Sa Majesté le Roi de Danemark, Frédéric VII, difficultés que le dit Traité avait pour but d'écarter, a renoncé pour lui et pour ses descendants à tous droits éventuels de Succession, en faveur de Son Altesse le Prince Chrétien de Slesvig-Holstein-Sonderbourg-Glücksbourg et de ses descendants mâles, issus en ligne directe de son mariage avec Son Altesse la Princesse Louise, née Princesse de Hesse, pour le cas où son Altesse le Prince Chrétien ou ses descendants mâles monteraient sur le Trône, et pour tout le temps qu'ils l'occuperaient, et cela, en se référant pour le reste aux Traités conclus en date du 11 Avril, 1767, et du 21 Mai, 1773, relativement à l'échange des Comtés d'Oldenbourg et de Delmenhorst, nous aussi, nous n'hésitons pas à nous croire lié par la rénonciation éventuelle de feu notre père et à la renouveler par un acte solemnel.

Nous renonçons donc par le présent, pour nous et pour nos descendants, en faveur de

son Altesse le Prince Chrétien de Schleswig-Holstein-Sonderbourg-Glücksbourg, Prince actuel de Danemarc, et de ses descendants mâles, issus en ligne directe de son mariage avec son Altesse la Princesse Louise, née Princesse de Hesse, aux droits éventuels de Succession, pour le cas où son Altesse le Prince Chrétien ou ses susdits descendants mâles monteront sur le Trône et pour tout le temps qu'ils l'occuperont, tout en nous référant pour le reste aux Traités précités du 11 Avril, 1767, et du 21 Mai, 1773.

En foi et en confirmation de quoi, nous avons signé de notre propre main cet acte de renonciation, et y avons apposé notre sceau Grand Ducal.

Fait au château d'Oldenbonrg, le 28 Mars, 1854.

(Signé) N. F. PIERRE.

(Signé) DE ROSSING.

No. 301.

Mr. Murray to Earl Russell.—(Received November 27.)

(Extract.) *Dresden, November* 24, 1863.

I REGRET to inform your Lordship that in this, as in other parts of Germany, the Schleswig-Holstein question is daily assuming a more serious aspect; and the most dangerous symptom in the movement is, that it seems to unite all those classes, parties, and populations who have been for years past at variance upon almost all other questions; and the fear is, that if it continues to spread and increase in the present ratio, it may remove the question from the control of the Governments, and throw it into the hands of the masses. The former might be influenced by the weighty considerations of the regard due to the Treaty and Protocol of 1851-52, and the calamitous consequences that are likely to be produced throughout Europe by risking its peace on such a question as the Succession to these Duchies; but with the masses, when once excited by a national impulse, your Lordship is well aware that the voice of reason is silenced by clamour, and the German Governments may feel themselved compelled to swim with the current which they are unable to stem rather than run the risks of being submerged by it.

Meanwhile all through Northern, Southern, and Central Germany the "National Verein" is putting forth all its energies; it has found a cause wherein it has for its leaders Princes and Governments before opposed to it, and for its adherents thousands who lately looked upon it with suspicion and distrust.

Doubtless your Lordship has received within the last few days reports from Her Majesty's other Missions in Germany on the subject, and it would be a great satisfaction to me if I could believe that they do not substantially confirm the apprehensions herein expressed.

A meeting took place here yesterday evening, attended by about 2,000 persons of the middle and lower class, the object of which was to press upon the Saxon Government the immediate recognition of Prince Frederick of Augustenburg as Duke of Schleswig-Holstein. Several emissaries from Holstein were present; the National Verein was strongly represented, and the speakers were chiefly lawyers well known for their extreme opinions. In respect to the question at issue the meeting was unanimous, the only difference of opinion (upon which a vote was taken) was as to the mode in which the sentiments of the meeting should be laid before the Government, one party desiring to do so in an address to the Chambers, the other, considering that process likely to involve delay, proposed an address direct to the King.

The resolutions adopted unanimously tallied so exactly in substance with those adopted at the great meeting at Frankfort on the 22nd that they seem to me almost a copy therefrom; and as those give the most succinct and compendious view that I have seen of the programme of the leaders of the movement, I inclose herewith a translation of the telegram in which it was sent hither. Your Lordship will see that in this programme there is no calculation of consequences, but simply a determination to Germanize the Duchies at whatever risk and sacrifice.

Notwithstanding the comparative insignificance of the population of the Duchies in respect to number, it is obvious that in a question of this importance their own wishes and sentiments cannot be left out of consideration, and on this head your Lordship must be able to obtain much more accurate information from Copenhagen and from Hamburgh than what I can here procure; but I was surprised to learn yesterday from an able and experienced Holsteiner-born, now in the service of Prussia, that if both the Duchies were now called upon to decide their own future nationality by universal suffrage, they would assuredly secede from Denmark. If this opinion be correct it adds another complication to a question already so difficult of solution without an appeal to arms.

The subject was brought before the Upper Chamber here yesterday by a member unconnected with the Government in a speech which, although more moderate in tone, was in substance identical with the inclosed Resolutions of the Frankfort meeting. The speaker stated that the Treaty of 1852 was invalid in Germany from never having received the sanction of the Confederation, and he added that, even if it had received that sanction, the illegal incorporation of Schleswig with Denmark, lately effected by the present King, would have cancelled all obligations on the part of any German Power to observe the stipulations of that Protocol, and had "rendered it incumbent on every true German to raise his voice, and if necessary his arm, against such an act of violent injustice." The subject then dropped, as M. de Beust intimated his intention of explaining the views of the Saxon Government thereon in the sitting of to-day. I shall keep this despatch open until to-morrow's post in order that I may be able to send your Lordship an abstract of his Excellency's speech.

After a brief exordium the Minister reminded the Chamber that in the course of the last twelve months various measures adopted by the Danish Government, especially the Proclamation of March 30, had led to corresponding discussions with the German Confederation, the result of which had been the deciding on a Federal Execution in Holstein. In the performance of her appointed part in this Execution Saxony had shown herself prompt and ready;—the decease of Frederick VII and the protest entered by the Prince of Holstein-Augustenburg against the London Protocol of 1852 as injurious to his rights of Succession had brought the whole question into a new phase. Under these circumstances it had appeared to the Saxon Government that its first and most imperative duty was to abstain from every step or act which might forestall the decision of the Confederation on this important question of Succession; it had, however, immediately telegraphed to the Saxon Representative at Frankfort to urge that, until this decision was pronounced, no Envoy accredited by the present King of Denmark should be received (Cheers). The Minister proceeded to say that as on Saturday the 20th ultimo the Danish Envoy had taken part in the proceedings of the Confederation, the Saxon Representative had been instructed not only to repeat energetically the above message, but to add that, in the opinion of this Government, it is under existing circumstances expedient that the troops appointed to carry out the Federal occupation in the Duchies of Holstein and Lauenburg should proceed without delay to their post, and hold and occupy those provinces until the question of the Succession should be decided, and they might be handed over to the rightful possessor (Cheers.)

After expatiating on the necessity of unanimity at the present crisis among all the members of the Confederation, the Minister concluded in these words:—"The Saxon Government is not in haste to publish declarations or resolutions, which, emanating only from us, might rather impede than produce a definite result; but rely upon it that when the hour of action comes Saxony will not be found the last in the field." At the termination of this speech a member who had given notice of a motion couched nearly in the same terms as the Frankfort Resolutions inclosed, withdrew it, and the House adjourned.

It seems rather self-contradictory on the part of M. de Beust that, after stating the unwillingness of Saxony to take any step calculated to forestall the decision of the Confederation, he should have instructed his Representative at Frankfort to urge so decisive a measure as the immediate occupation of the Duchies; but this was probably done after private communication with Austria and Prussia, and was certainly the paragraph which was most applauded by the Chamber.

Inclosure in No. 301.

Resolutions passed at a Public Meeting at Frankfort on November 22, 1863.

(Translation.)

WITH the death of Frederick VII the union of Schleswig-Holstein with the Danish Crown has come to an end.

The Duchies of Schleswig-Holstein have again obtained their independence. Frederick von Augustenburg is the lawful Duke of Schleswig-Holstein. The further exercise of any functions of Government in the Duchies on the part of Denmark and its present King is an act of open violence committed against the German people.

It is therefore the undoubted duty of the Confederation, as well as of the German Governments and people, to repel without hesitation such force by force. Every attempt at interference on the part of foreign Powers in this affair must be resolutely opposed, as

an encroachment on the rights of German honour and German laws, and, if necessary, must be withstood by armed resistance.

The decision adopted in the year 1852 affecting the rights of a German population, by a certain number of European Princes, having never received the consent of the German Confederation, is powerless to affect those rights. The maintenance of German rights and German honour in Schleswig-Holstein is a sacred and universal obligation upon the whole population of Germany and upon all its Governments. Every difference of party, every internal dissension must be silent in the presence of the duty of defending this rightful German cause with united strength before the eyes of all Europe.

This day's meeting instructs the summoning Commissioners ["Einladung Comité;" Commissioners appointed to issue the summons to the Public Meetings] to elect a Committee, who shall be intrusted with the charge of pressing energetically the maintenance of these German rights upon every German population and every German Government.

No. 302.

Sir H. Howard to Earl Russell.—(*Received November* 28.)

My Lord, *Hanover, November* 26, 1863.

THE deputation of the Municipal Corporation of this Residence charged with the presentation of the Address to the King adopted by that Body, praying His Majesty to interfere vigorously in favour of the rights of the Duchies of Schleswig-Holstein, and of those of Prince Frederick of Augustenburg to the Succession in them, was received by His Majesty at Herrenhausen on the 24th instant.

The answer which His Majesty is stated to have returned to the Address is to the effect that he was gratified to perceive that what he had done for Holstein was acknowledged, and reliance might be placed on his continuing to act in the same sense. The question of the Succession in Holstein would be impartially examined by a Committee of the Diet, and he was more particularly glad to find in the Address the expression of the readiness to stand by his Royal House should the necessity arise.

Your Lordship will perceive that His Majesty only spoke of Holstein. It is, I think, to be regretted that His Majesty did not tell the deputation that by his accession to the Treaty of the 8th of May, 1852, regulating the Succession for the whole of the Danish Monarchy, he had contracted obligations from which he could not recede.

I take this opportunity of transmitting to your Lordship a translation of the Address of the Committee of the "National Verein" to the German people, as adopted at Berlin on the 24th instant, urging Germany to draw the sword in order to reconquer the Duchies of Schleswig and Holstein for herself.

In a conversation which I had with Count Platen to-day I called his attention to a paragraph in this Address in which all parishes, corporations, associations, &c., and all friends of the fatherland, are exhorted not only immediately to collect money, but likewise to hold men, arms, and all the means in readiness which might be requisite for the assistance of their brethren in Schleswig-Holstein, and I received from his Excellency the assurance that the Hanoverian Government would prevent enlistments taking place or arms being collected in this country for the above-mentioned object.

I have, &c.

(Signed) HENRY F. HOWARD.

Inclosure in No. 302.

Address to the German People from the National Verein, on the Schleswig-Holstein Succession Question.

(Translation.)

To the German People.

BY the death of the King of Denmark and the accession of the Hereditary Prince of Augustenburg as legitimate Duke of Schleswig-Holstein, the German people are called upon to answer a question of the utmost gravity. Will they endure the disgrace of allowing a German kindred race to share the fate of Alsace and Lorraine?

The German province of Prussia was once subject to Poland, Pomerania was once under Swedish rule, and the Rhenish Provinces were once annexed to France. The swords of our ancestors reconquered them for the German Fatherland. Now is the time to do the like for Schleswig-Holstein!

Schleswig-Holstein is crushed by a foreign army. Its own troops are quartered in Danish islands at a distance from their home. Although incapable at this moment of resistance, our brethren on both sides of the Eider have nevertheless refused to recognize the Sovereign forced upon them. They look with confidence to us for aid and support.

Princes of Germany, it is to you we address ourselves in the first instance, in the language of warning! As sons of the common Fatherland, remember the heavy responsibility which weighs upon you; remember that a people can forgive and forget much wrong done to them, but never the betrayal of their honour and liberties to a foreign country.

Who in future will respect your own legitimacy if you abandon the rights of a legitimate German Prince to a foreign oppressor? Who will believe henceforth that you are called upon to lead the nation, if you are capable of deceiving in this instance the just expectation of the people?

But whatever may be the decision of the Princes of Germany, we conjure you, German brethren, to take the matter into your own hands—every one in his place, every one with his own strength—forgetful of all separate or party interests, to be united in face of the common danger, to be united for the common defence of the national honour and independence.

The National Verein calls upon every Parish, Corporation, Union, and Company,—upon every friend of the Fatherland willing to be associated with it in the furtherance of the great work, to collect funds immediately, and to hold in readiness troops, arms, and everything necessary to support our brethren in Schleswig-Holstein.

Now that the time has arrived for defending the coasts of Germany against the enemy, the Fleet-fund in the hands of the National Verein can be appropriated in accordance with the spirit of the donors. Much larger means, however, will be required for the objects we have in view, and a permanent popular self-taxation and a regular organized system are especially necessary. The National-Verein has established for this purpose a Committee in aid ("Hülfs-Ausschuss"), whose whole time will be actively devoted to the task. It will be the recipient of the subscriptions sent from all parts of the Fatherland, and all communications and offers are to be addressed to it.

German brethren! Schleswig-Holstein has often been your theme in speech and song; innumerable are the vows you have made to stand by it when the decisive moment should arrive. The manhood and youth of Germany are stout-armed! In the gymnasium and on the rifle-ground your powers have been exercised and perfected, you have solemnized your brotherhood at great festivals, you have dedicated yourselves to the sacred service of the Fatherland. Let your acts now correspond with your words! Foreigners ridicule German caution. Show them that their sneers do not touch you, that you disregard their menaces, and that where the national honour is at stake you are not afraid of their arms and armies.

You, however, men of Schleswig-Holstein, persevere under the heavy trial that awaits you. Maintain the same resolute spirit which we have often admired in you, until that aid reaches you which the German people owe both to you and to themselves to afford.

Berlin, November 24, 1863.

The Committee of the National Verein,
(Signed) R. von BENNIGSEN, *President.*

No. 303.

Sir H. Howard to Earl Russell.—(Received November 28.)

My Lord, *Hanover, November* 26, 1863.

I HAD the honour of receiving this morning your Lordship's despatch of the 23rd instant, in which, with reference to the claims of Prince Frederick of Augustenburg to the Succession in the Duchies of Schleswig and Holstein, as submitted to the German Diet, your Lordship acquaints me with the determination of Her Majesty's Government to observe faithfully the engagements which Her Majesty contracted by the Treaty of the 8th of May, 1852, regulating the Succession for the whole of the Danish Monarchy, and conveys the expectation of Her Majesty's Government that the Powers who signed that Treaty, or acceded to it, will pursue the same course.

I lost no time in communicating this despatch to Count Platen, and received from him the renewed assurance that the Hanoverian Government recognized the engagements they had contracted by their accession to that Treaty, and would faithfully observe them.

His Excellency begged me, however, at the same time to convey to your Lordship his hope that Her Majesty's Government would exert their influence in order to induce the Danish Government to observe their obligations concerning the Duchies of Holstein and Lauenburg, as acknowledged by Article III. of the above-mentioned Treaty, and remarked that if Denmark were not to fulfil these obligations Hanover would consider herself to be no longer bound by the Treaty.

I pointed out to Count Platen that it now remained to be seen in what manner the German Powers who had signed the Treaty, or acceded to it, observed their engagements.

For example, I doubted much whether Her Majesty's Government would consider that the Saxon Government, in instructing their Representative at the Diet to move, first, that until the question of the Succession had been decided upon by the Confederation, the Danish Minister should not be admitted into the Diet; and, secondly, that the Federal forces should continue to occupy Holstein and Lauenburg until the Diet should be enabled to deliver both countries to the Successor acknowledged by it to be the legitimate one, were faithfully fulfilling the engagements they had contracted by their accession to the Treaty, and which Baron Beust appeared to ignore, when in his speech in Parliament he stated that the Saxon Government would give their vote at the Diet with full freedom.

Count Platen replied that he agreed with the Saxon Government on the first point, namely, that it was in the due course of things that the Danish Representative should not be admitted to sit in the Diet until the validity of his claims had been examined and acknowledged.

Hanover having, by the Treaty of 1852, engaged to acknowledge the Succession of Prince Christian of Schleswig-Holstein-Sonderburg-Glucksburg to the whole of the dominions united under the sceptre of His Danish Majesty, would, of course, when the proper moment came, vote in favour of the validity of the rights of King Christian IX, and against the pretensions of the Prince of Augustenburg, which he (Count Platen) moreover did not consider to be otherwise well-founded.

As regards the second point, Count Platen stated that Hanover would not vote for an occupation of the Duchies as proposed by Saxony, but for the immediate carrying out, without prejudice to the question of the Succession, of the Federal Execution. He pointed out that the objects of such an Execution were definite, being the accomplishment of those referred to in the Resolution of the Diet of the 1st of October last, whereas an occupation was a measure of a much more serious character.

His Excellency said that the views he had thus explained were likewise those of Austria and Prussia, and that Hanover would vote with them on these points at the Diet, but it remained to be seen how far the three Courts would be able to obtain a majority. The carrying out of the Execution would, in his opinion, be the best way of bringing about a regular treatment of the matter, and would be greatly in the interests of King Christian, as it would be the best means of upholding his rights in the German Duchies. He therefore hoped that Her Majesty's Government would not, under the circumstances, seek to prevent it.

I remarked, in the first place, that the position of the two claimants would not be an equal one at the Diet, because the Prince of Augustenburg had by a clever manœuvre secured himself a Representative in the Assembly by giving his full powers to the Baden Envoy, who was a member of the Diet, and who would always be able to defend his cause, whereas the King of Denmark would have no such mouthpiece, and would thus be placed in a disadvantageous position; and, in the second place, that a Federal Execution, without a previous acknowledgment of the rights of King Christian, must always remain a very objectionable measure.

I put, however, this question to Count Platen:—Supposing the Execution were to take place in the manner proposed, and the Danish Government in consequence to yield to all the demands of the Diet, before the question of the Succession had been settled, would the Federal troops be withdrawn?

His Excellency replied that he conceived that the Execution having been undertaken against the *de facto* Sovereign, the Federal troops would be withdrawn as soon as its objects had been accomplished.

I have, &c.

(Signed) HENRY F. HOWARD.

No. 304.

Mr. Gordon to Earl Russell.—(Received November 29.)

My Lord, *Stuttgardt, November* 26, 1863.

THE Wurtemberg Upper Chamber appears not to have waited for the communication of the motion on Schleswig-Holstein affairs reported to your Lordship in my preceding despatch,* that had been adopted by the Lower Chamber, as they passed unanimously at their first sitting, on the evening of the 24th instant, an independent Address to the King of Wurtemberg, which was proposed by Prince Wolfegg, and warmly seconded by Prince Hohenlohe-Langenberg, a translation of which I have the honour to inclose herewith.

I have, &c.

(Signed) G. J. R. GORDON.

Inclosure in No. 304.

Address voted by the Wurtemberg Upper Chamber on Schleswig-Holstein Succession Question.

(Translation.)

Your Majesty, *Stuttgardt, November* 24, 1863.

THE death of King Frederick VII of Denmark has just dissolved the bond which has hitherto united several German countries to Denmark. It is therefore now all the more imperative to bring to a final close the just grievances which the conduct of Denmark towards those countries has necessarily called forth.

Confiding in the wisdom and patriotism of the German Governments, and earnestly anxious on account of German honour, we hope that the German Confederation will seize this opportunity for defending in the most vigorous manner the rights and interests of Germany and her people, and especially of the legitimate heir to the Throne (of these countries referred to).

Giving expression to this hope and these wishes, we also address to your Majesty the humble petition that, in union with your Majesty's Confederates, and by the employment of all suitable means, your Majesty will direct your efforts for the preservation, in its most complete and the most powerful manner, of the rights and interests of Germany, and of the more immediately concerned Princes and countries in this matter.

In deepest veneration, &c.

No. 305.

Mr. Gordon to Earl Russell.—(Received November 29.)

My Lord, *Stuttgardt, November* 27, 1863.

DEPUTY SEEGER has given notice in the Lower Chamber of three questions to the Minister of Foreign Affairs on the Schleswig-Holstein Succession, to the following effect:—

"1. Is the statement of the public prints correct, that the Wurtemberg Government have acceded to the Protocol of London of May 8; 1852, by which the order of Succession established by the family laws and the Constitution of the German Duchies of Schleswig-Holstein was arbitrarily abolished by the King of Denmark and the great Powers?

"2. In case of an affirmation of the above, did the Royal Government declare their adhesion only under conditions which have remained unfulfilled by the subsequent conduct of the Danish Government towards the Duchies; and does the Royal Government consider itself therefore as freed from its previous engagement?

"3. What steps have the Royal Government taken as a member of the German Confederation, and what others do they purpose to take, in order, in the approaching conflict, to defend the rights of the Duchies of Schleswig-Holstein-Lauenburg, and the rights and interests of Germany inseparably connected therewith; and especially to preserve the integrity of the Federal territory against the usurpation of King Christian IX of Denmark, which has already, in fact, occurred?"

I am told that Baron Hügel will not immediately reply to these questions, but will wait a few days longer until the decision of the Frankfort Diet, and of the Cabinets of Berlin and Vienna, be known.

I have, &c.

(Signed) G. J. R. GORDON.

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* No. 297.

No. 306.

Lord Napier to Earl Russell.—(*Received November* 30.)

(Extract.) *St. Petersburgh, November* 24, 1863.

I CALLED on Prince Gortchakoff this forenoon. The Vice-Chancellor expressed his concern at the turn which affairs were taking in Germany and in the Duchies. His Excellency remarked that in order to anticipate and prevent the dangers with which we were menaced, it would be desirable that the Government of Denmark should do something to modify the Fundamental Law by which Schleswig was incorporated with the Monarchy, and by which the engagements of Denmark towards Germany were set aside. He thought the five Governments interested in this matter should employ their influence to draw the Government of Denmark to moderate counsels. The despatch of special Envoys to congratulate the Danish Sovereign on his accession would give the five Governments a fitting occasion on the one side for asserting the integrity of the Danish Monarchy, and on the other for recalling emphatically to the Danish Government the necessity of doing all in their power to enable the Governments of Austria and Prussia to support at Frankfort the settlement of London. The Prince requested me to convey this proposal by telegraph to London, and I prepared a message to that effect in the presence of his Excellency. The same overture has been made at Vienna and Berlin, and would be made at Paris.

The Vice-Chancellor went on to say that the Danish Government had proposed to submit the whole question to the Congress suggested by the Emperor of the French. He did not recognize that this question would justify a Congress. He had, however, no objection, with the assent of the other Powers, that a Ministerial Conference should be assembled in London to treat of this affair if Her Majesty's Government saw no impediment to such a course. London seemed best fitted for this business, as it had been the seat of previous transactions having reference to the same object.

I remarked to Prince Gortchakoff, while recognizing the conciliatory and useful nature of his suggestions, that what seemed of most pressing necessity was to prevent the Federal Execution in Holstein; for if the German troops advanced into the country, the population would rise behind them and vote *en masse* for separation from Denmark, the German Nationalists would come over the frontier, and resolutions would be taken which it would be almost impossible to undo.

No. 307.

Sir A. Paget to Earl Russell.—(*Received November* 30.)

My Lord, *Copenhagen, November* 23, 1863.

I HAVE the honour to inform your Lordship that M. Hall has received a Protest from the Grand Duke of Oldenburg against the Succession of His Majesty King Christian IX to the Duchies.

I have, &c.
(Signed) A. PAGET.

No. 308.

Sir A. Paget to Earl Russell.—(*Received November* 30.)

My Lord, *Copenhagen, November* 25, 1863.

THE persistency with which the newspapers continue to announce that the defensiv Treaty between Denmark and Sweden has been signed, has induced me to question m Swedish colleague again on this matter. I saw Count Hamilton for this purpose yester day, and I am now in a position to inform your Lordship that the Treaty has not ve been signed.

On the death of the late King, the King of Sweden lost no time in conveying t King Christian, through Count Hamilton, the assurances of his unalterable friendship fo Denmark, and that these sentiments had undergone no diminution in consequence of th change of dynasty.

General de Bildt, whose arrival from Stockholm I reported in my despatc of the 21st instant as charged with a mission of congratulation to His Danish Majest on his accession, was directed to repeat the same assurances; but it is not correct, a

stated in the public prints, that General Bildt was the bearer of the final instructions relative to the signature of the Treaty. He brought Count Hamilton, I believe, his new credentials, which he presented the day before yesterday; but the last instructions which Count Hamilton has received relative to the Treaty are, that although His Swedish Majesty is as ready as ever to sign it when the proper moment shall have arrived, he is not to move further in the matter except on the initiative of the Danish Government, so as to leave this Government entire liberty of action in consequence of the change which has taken place in Denmark since the first negotiations respecting the Treaty were set on foot.

I have, &c.
(Signed) A. PAGET.

No. 309.

Sir A. Paget to Earl Russell.—(Received November 30.)

My Lord, *Copenhagen, November 25, 1863.*

NOTWITHSTANDING the Proclamation of the Duke of Augustenburg, the attitude of some of the smaller States, the incendiary articles of the German Press, the meeting of some of the Members of the Holstein Estates at Hamburgh, and the means which are employed by the German National party to create disturbances in Holstein, the accounts which are received from that Duchy continue to describe the population as perfectly tranquil, and as showing no symptoms of any intention to revolt against the authority of the legitimate Sovereign.

A certain number of functionaries connected with the University of Kiel, and some of the advocates attached to the first tribunal, have indeed refused to take the oath of allegiance until the question of the Succession has received a solution at the hands of the Diet; and a clergyman of the same town has announced to his congregation that he did not find it consistent with his conscience to offer up the usual prayer for the King and the Royal Family; but with these exceptions there would appear as yet to have been no palpable acts of insubordination.

The Danish Goverment has taken all necessary precautions for putting down with energy and determination any attempts which may be made to raise the standard of revolt in the name of the Duke, and unless these attempts are supported by the assistance of regular troops furnished in superior numbers by the German Governments, they have little apprehension as to their own capacity for dealing with the free corps, or any other irregular bodies of insurgents which may appear.

With reference to the Execution I am enabled to state to your Lordship, that if it should be carried out solely on the Federal question, that is to say, on the same grounds that existed before the question of Succession arose, M. Hall will give the same advice to his present Majesty as he did to the late King, viz., not to oppose it by force in Holstein. His Excellency gave me this assurance in an interview I had with him on Sunday last the 22nd instant. I said it was a point on which I was particularly anxious there should be no future misunderstanding between us, and I therefore requested him to tell me distinctly what I might report to Her Majesty's Government.

The above was his answer; but he added, with a view I presume of covering his responsibility in the event of another course being followed when the time shall arrive, that he was not aware what the dispositions of his present Majesty might be upon this point. I think, however, I can venture to predict from my knowledge of the character and principles o the King, that, as a true Constitutional Sovereign, His Majesty will be guided on this as on every other matter connected with the affairs of his country, by the advice of his responsible Ministers.

I have, &c.
(Signed) A. PAGET.

No. 310.

Sir A. Paget to Earl Russell.—(Received November 30.)

My Lord, *Copenhagen, November 26, 1863.*

I CALLED upon M. Hall this morning for the purpose of stating, in compliance with your Lordship's instructions,* that it is the decided opinion of Her Majesty's Govern-

* No. 285.

ment that the King of Denmark should at once revoke the Letters-Patent of the 30th of March; that the present King ought to have no difficulty in doing this, and that it should be done without delay.

M. Hall replied that he would inform the King to-day of the communication I had made to him on the part of Her Majesty's Government, but that he could not but feel that the measure would have much more effect as the first act of a new Minister for Holstein, himself a Holsteiner, than it would have if advised by him.

In the former case it might have the appearance of the inauguration of a new policy, whereas if the Patent was withdrawn as an act of the Danish Government it would be without importance.

I replied that, although I might admit, to a certain extent, the force of his argument, yet I was impressed with the necessity there was for acting expeditiously. I felt sure, I said, that your Lordship had good reasons for the advice you gave, or you would not have spoken in such positive terms.

It might be, for aught we knew to the contrary, the condition on which the Austrian and Prussian Governments made their acceptance of mediation dependent; that considerable delay had already occurred in finding a Minister for Holstein, and, if I was correctly informed, the result was not now much nearer at hand. I must therefore urge upon his Excellency most strongly to act at once upon the advice of Her Majesty's Government, and not allow any question of form to stand in the way of his doing so.

M. Hall said that the King had now got several gentlemen from Holstein about him, and he could not but hope that one of them would be induced to accept the Ministry in the course of a day or two. For himself he would submit to His Majesty the communication I had made to him, and would inform me of His Majesty's decision.

I said I trusted I might report to your Lordship, at all events, that he would not oppose the revocation of the Patent. Such, I said, had been the impression I had received when I last spoke to him on the subject, and I hoped I had not misunderstood him.

His Excellency replied that he had certainly no objection to the revocation of the Patent if it was not intended that it should be followed by the withdrawal of the Constitution, which was its complement. He foresaw, however, that the next thing the Danish Government would be urged to do would be to withdraw the Constitution.

I said it was of no use anticipating difficulties. It was now a question of the revocation of the Patent, and I trusted he would recommend this measure to His Majesty's adoption.

His Excellency again replied that he would take His Majesty's orders to-day, and inform me of the result as soon as His Majesty had given his decision.

I have, &c.

(Signed) A. PAGET.

No. 311.

Sir A. Paget to Earl Russell.—(Received November 30.)

My Lord, *Copenhagen, November 26, 1863.*

AS it appears that M. de Bismarck gives, as a reason for his despatch to the Danish Government respecting the Constitution for Denmark and Schleswig, the clause which was introduced to bring it into force on the 1st of January next, I beg leave to observe that, unless that clause had been inserted, the Constitution would have been the law of the land from the very day on which it received the Royal assent. So far, then, from the clause in question having, for effect, to precipitate matters, it is attended with a directly contrary tendency; it procures delay instead of hurrying the conclusion. But the Constitution need have no practical effect till the month of October 1865, when the Rigsraad must, according to the law, again be called together; and it is very probable that, unless extraordinary circumstances should occur which would make the Government desire to have the support of the national representation, the next session may not take place until that period. So that if the German Powers should be disposed to negotiate upon the international questions comprising the position of both Holstein and Schleswig in the Monarchy, there is no reason, as far as the putting in practice of the new Constitution goes, why they should not do so. In point of fact, the new Constitution, until it comes into working vigour, effects very little change in the state of things, and there is no reason why it should not be adapted to meet the views of the Holsteiners quite as well as the Constitution of 1855.

It is said in the "Temporary Resolutions" appended to the Constitution, which

provide for the common action of the Holstein States and the Rigsraad "until the relations between the Kingdom and the Duchy of Schleswig, on the one part, and the Duchies of Holstein and Lauenburg, on the other part, have been ordered, the following Resolutions, which, however, may be altered by law, shall be in force as far as regards the Kingdom and the Duchy of Schleswig."

The wording of this heading would seem, therefore, to provide for the possible case of the different portions of the Monarchy being placed on a different footing, perhaps a more united one. At all events it leaves the door open for negotiation on the subject; and the Danish Government, by the acceptance of mediation, has, of course accepted therewith the natural consequence of having to alter the new Constitution, if such should be the result of the negotiation.

If M. de Bismarck had raised his objections earlier, the case would certainly have been much easier to deal with, although I am bound to say that M. Hall has all along declared that the powers of the present Rigsraad finishing with the present session, it was absolutely necessary that some measures regulating the relations between the non-German portions of the Monarchy should be adopted. But as M. de Bismarck did not object, but, on the contrary, spoke in a sense to lead to the conclusion that the measure of the Danish Government was in accordance with his own views, it is hardly consistent with justice that he should now throw the whole blame and responsibility of what may occur on the Danish Government.

It might, perhaps, facilitate an arrangement, if the Danish Government could be induced to explain to the Austrian and Prussian Governments that the new Constitution is only intended as a temporary measure until the definitive relations of the different parts of the Monarchy were settled by international negotiation, although this deduction would appear to follow, as a matter of course, from the fact of their having accepted the mediation of Her Majesty's Government.

I have, &c.
(Signed) A. PAGET.

No. 312.

Sir A. Paget to Earl Russell.—(Received November 30.)

My Lord, *Copenhagen, November 26, 1863.*

COUNT OTTO BLOME, a member of the Ritterschaft in Holstein, who had come to Copenhagen, as he informed me, to pay his court to His Majesty, called upon me yesterday, and I had some conversation with him respecting the state of affairs in Holstein.

He said there was not the least excitement amongst the population in favour of the Duke of Augustenburg, who had no party there whatever; that it was desirable that the King should issue a Proclamation as soon as possible, and should also have a Holsteiner for Minister of the Duchy in whom the population had confidence. Baron Charles Plessen had arrived that morning, and he believed was now with the King. He was a man in whom every Holsteiner had confidence, and if he could accept the Ministry, every one in the Duchy would be happy and feel secure. That all that Holstein wanted was to have the management of its own affairs; that a common Constitution was no longer wished for, as it was considered impossible. The union too with Schleswig was an exploded idea. It was of course desirable that the Germans in that Duchy should be placed on a better footing, should have liberty respecting the languages of their schools, &c., &c., but that the Holsteiners no longer intended to make the settlement of their own affairs dependent on that of the neighbouring Duchy.

I replied that on these conditions I saw nothing more easy than a settlement of the whole question, but I confessed myself somewhat sceptical as to Baron Plessen being so easily accommodated, and your Lordship will see by what follows that I was not wrong.

I have felt from the first that if Baron Plessen's services could be secured to His Majesty as Holstein Minister, the influence which his appointment would exercise upon the whole situation of affairs, as between this country and Germany, would be paramount; and I therefore determined to do all that depended on me to bring about so desirable a result.

I saw M. Hall in the morning as soon as I heard of Baron Plessen's arrival, and he assured me that he was, personally speaking, as ready to accept Baron Plessen as any one else His Majesty might choose, though he repeated his doubts as to the appointment being a wise one as far as the Danish public was concerned.

Having been subsequently informed that the interview between the King and Baron Plessen had not ended in his final acceptance of the office, though I was told the negotiations were not entirely broken off, I at once decided upon seeing Baron Plessen, with a view of offering my services to smooth down any difficulties which might perhaps be removed through friendly intervention. I accordingly sent to the Baron to say I should like to speak to him, and he was kind enough to call upon me in the evening.

I said that having heard that he had been with the King, and that the result of the interview had not been quite satisfactory, I was induced by the interest which my Government took in the affairs of this country to offer my services, if they could in any way be useful in bringing about an understanding with the Government here. I said that I considered his acceptance of the Holstein Ministry at this moment to be of the very greatest importance, and that he might be the means of saving not only his country, but Europe from war, because, if he accepted the Ministry there could be no doubt that his countrymen would feel that their interests were secure, and as a deputation had just been sent from the members of the Holstein States, who had lately met at Hamburgh, to Frankfort, claiming the protection of the Diet, so another under his inspiration might follow to say that that protection was no longer required, and the Execution would then of course be given up.

Baron Plessen replied that the interview he had had with His Majesty was what he was quite prepared for, and it was impossible under present circumstances that it could be satisfactory. He had come, he said, at the King's desire, because he had a sincere affection for His Majesty, and an ardent desire to serve him, but with the present Ministry in office it was impossible he could do so. They had now just given the finishing stroke to their policy of isolating Holstein, of violating the stipulations of 1851-52, and of incorporating Schleswig by the new Constitution, and this had made any arrangement with them impossible. The position or influence which he might perhaps now enjoy amongst his countrymen was because he had conscientiously combatted this policy, and they believed him sincere; but if he was now to accept office he should have the appearance of being false to the opinions he had always advocated, and of having been converted to a system he had always condemned. The consequence would be that he would ruin his own position without being of the least service to His Majesty, for he was convinced that any influence he might now possess would at once vanish.

I asked Baron Plessen why, if Holstein was put in possession of complete constitutional rights and independence, he held so much to a common Constitution.

His answer was that Holstein was part of the Monarchy as a whole, and that, as such, while there was a common representation and, in short, unity of government, it was not completely shut out from the political life-professions and employments which the Monarchy, small though it was, could offer; but that once cut off from the Monarchy, Holstein, although it might be in possession of complete liberty and constitutional rights, was effectually debarred from any share of the above advantages.

This was one reason, he said, for his wishing for a common Constitution.

Another was, that the Duchies of Holstein and Schleswig had been for ages bound together, and both their inclinations and their interests required that they should not be separated.

I observed to Baron Plessen that, although a great deal of noise had been made about the recent Constitution, I could not, for my part, see the great change which it effected, and I maintained that whether it turned out to be a step towards incorporation or not, would depend upon the character of the measures by which it was followed up. I added that in the event of international negotiation taking place, there was no reason why this Constitution should not be altered to admit Holstein, just as easily as that of 1855. I added that if the Danish Government had adopted the separation policy of late, the Holstein States were in some measure to be blamed for it themselves, because in one of their Reports they had said no form of common Constitution which could be proposed could suit them.

Baron Plessen said this was not a correct interpretation of what had been said, which was to the effect that according to the system proposed by the present Danish Government, they saw no hope of coming to an understanding on this basis.

I replied that, however this might be, the object now to be desired was to save the Monarchy; to do this the Execution must be prevented, and perhaps one of the most effectual means to this end would be by his accepting the Ministry for Holstein. I submitted to him the possible case that if the Execution took place the separation of Holstein, the very thing he wished to avoid, might perhaps be accomplished once for all. He admitted this contingency, but said that Schleswig would go likewise.

This brought on the question of the Succession in the Duchies. Baron Plessen told

me that the Duke of Augustenburg had no party there for himself, but simply because he impersonated the Schleswig-Holstein idea. He said he hoped the Diet would soon take a decision in the question, as it kept the people in suspense, and he trusted sincerely it would be in conformity with the Treaty of London. He said that there would be no movement in the Duchy, and that if there were any attempts by free corps and others, they would be repelled by the Holsteiners themselves, who thought the Danish Government quite right in the precautions they were taking.

My conversation with Baron Plessen lasted over two hours, and I am conscious of having omitted no argument to induce him to alter his decision not to accept the Ministry, but I regret to say without effect. In reply to my inquiry as to what he thought the best thing to be done under the circumstances, he said that he thought if the Diet could be brought to accept the existing state of things, including the new Constitution as provisional, and would declare itself ready to treat on the ultimate arrangements, that this would be the best way of avoiding Execution or war, and of enabling those anxious to serve King Christian to do so with efficiency.

I have, &c.
(Signed) A. PAGET.

No. 313.

M. Hall to M. de Bille.—(*Communicated to Earl Russell by M. de Bille, November* 30.)

Monsieur, *Copenhague, le* 26 *Novembre,* 1863.

LE Gouvernement Britannique aura déjà pris connaissance, soit par les rapports de ses Agents Diplomatiques, soit par les journaux, de l'attitude que la Diète Germanique paraît vouloir prendre, relativement à la Succession dans la Monarchie Danoise, et de l'agitation excessive qui s'est manifestée à ce sujet dans l'opinion publique en Allemagne. On aspire à rien moins qu'à arracher au Danemark les Duchés de Holstein et de Lauenbourg, et même de Slesvig.

Le Traité de Londres du 8 Mai, 1852, a de la manière la plus formelle établi le principe de l'intégrité de la Monarchie comme une des conditions indispensables de l'équilibre Européen. Et il a ajouté la reconnaissance de l'Europe à l'arrangement d'après lequel le Roi actuel était désigné comme héritier de la Monarchie. Ce Traité a été signé des cinq Grandes Puissances et de la Suède ; et la plupart des autres Etats Européens, ainsi que plusieurs des Etats secondaires de l'Allemagne, y ont plus tard accédé.

Dans les efforts qu'on a fait dernièrement de certaines côtés; pour invalider cet Acte solennel de l'Europe, cette assertion a été mise en avant,—que la force obligatoire du Traité pour les Puissances Allemandes aurait été subordonnée au stricte accomplissement par le Gouvernement Danois des transactions de 1851 et 1852, et que, attendu que cet accomplissement n'aurait pas eu lieu, ces Puissances ne se trouveraient plus liées par leur signature.

Il n'est sans doute pas besoin d'entrer dans de longues explications pour prouver l'inanité complète de cette argumentation. D'abord—et cette considération rend superflue tout autre déduction—la question de l'intégrité de la Monarchie Danoise, dont le maintien a été reconnu un élément nécessaire de l'équilibre politique, ne pourrait pas, d'après sa nature, être subordonnée à cette question d'un ordre secondaire, à savoir, si les rapports intérieurs entre les différentes provinces de la Monarchie seraient réglés de l'une ou de l'autre manière. Je ne m'engagerai pas ici du reste dans une discussion sur la teneur des négociations de 1851 et 1852, ni sur le soi-disant abandon que le Gouvernement du Roi aurait fait spontanément de l'arrangement intérieur qui avait été prévu dans ces négociations. Ces points ont été suffisamment débattus entre nous et l'Allemagne, et ils appartiennent à une phase de notre différend que les aspirations nouvelles de l'Allemagne se trouvent avoir déjà entièrement dépassée. J'ai montré qu'une condition comme celle dont il est question ici n'aurait pu, d'après sa nature, trouver place dans une décision définitive telle que le Traité de Londres. Aussi, une simple lecture de cet Acte suffit pour prouver que cette condition n'y a pas non plus été formulée, de quelque manière que ce soit.

Le Traité porte textuellement dans son Article III "que les droits et les obligations réciproques de Sa Majesté le Roi de Danemark et de la Confédération Germanique concernant les Duchés de Holstein et de Lauenbourg, droits et obligations établis par l'Acte Fédéral de 1815 et par le droit Fédéral existant, ne seront pas altérés par le présent Traité."

Ces termes ne se rapportent qu'aux droits ordinaires qui d'après les Actes Fédéraux

appartiennent à la Confédération vis-à-vis de tous ses membres, et ils excluent ainsi, d'une manière précise, les droits spéciaux que, en dehors de l'Acte Fédéral et de la législation Fédérale ordinaire, la Confédération prétend avoir acquis vis-à-vis du Danemark par les négociations de 1851 et 1852. Mais en outre, l'Article III du Traité ne fait que reproduire la réserve que l'Autriche avait déjà pris lors de son accession au Protocole Préliminaire du 2 Août, 1850; car si les droits de la Confédération Germanique furent alors réservés par cette Puissance, il est impossible qu'elle voulût par là réserver les droits qu'on se plaît aujourd'hui à déduire des transactions de 1851 et 1852, par la raison toute simple que ces transactions n'existaient pas à ce temps-là.

Cette assertion que les Puissances Allemandes ne seraient plus liées par le Traité de Londres est donc tellement dénuée de toute fondement que le Gouvernement est en droit d'espérer qu'elle ne sera pas sérieusement mise en avant, et je me tiens pour convaincu que la Prusse et l'Autriche désavoueraient les premières ce raisonnement s'il se produisait au sein de la Diète. Mais la seule attitude que la Confédération Germanique a déjà prise est d'une telle nature que le Gouvernement du Roi se voit obligé d'appeler l'attention du Cabinet de St. James sur la grave question qui se débat, à l'heure qu'il est, au sein de l'Assemblée de Francfort, à savoir, si un Acte Européen revêtu de la signature des Puissances les plus intéressées à l'equilibre Européen, et approuvé plus tard par presque tous les Etats, pourra être renversé par les petits Etats de l'Allemagne, poussés, comme ils le sont, par l'esprit de révolution et d'envahissement qui, à l'égard du Danemark, se manifeste depuis longtemps en Allemagne.

Le Gouvernement Britannique a pris une part si significative à la conclusion du Traité de Londres, et il a montré un intérêt si constant pour le maintien de l'intégrité de la Monarchie Danoise, que je suis convaincu que le concours de ses bons offices ne fera pas défaut au Gouvernement du Roi Christian IX dans une occasion où la nation Danoise est fermement décidée à défendre son droit incontestable jusqu'à la dernière extrémité.

Je vous prie, Monsieur, de vouloir bien donner lecture de cette dépêche au Comte Russell et de lui en laisser copie.

J'ai, &c.

(Signé) C. HALL.

(Translation.)

Sir, *Copenhagen, November* 26, 1863.

THE British Government will have already been informed either by the reports of their diplomatic agents, or by the newspapers, of the attitude which the German Diet apparently intends to assume with regard to the Succession of the Danish Monarchy, and of the excessive agitation which public opinion in Germany manifests on this point. They aspire to nothing less than to sever from Denmark the Duchies of Holstein and Lauenburg, and even Schleswig.

The Treaty of London of May 8, 1852, established in the most formal manner the principle of the integrity of the Danish Monarchy as one of those conditions which are indispensable to the maintenance of the balance of power in Europe. And it added, moreover, the recognition by Europe of the arrangement by which the present King was designated as the heir to the Monarchy.

This Treaty was signed by the five Great Powers and by Sweden; and most of the other European States, as well as several of the secondary German States, acceded to it later.

Among the efforts which have been made in certain quarters to invalidate the solemn European Act, the following assertion has been put forward, that the obligatory force of the Treaty upon the German Powers was made subordinate to the strict fulfilment by Denmark of the transactions of 1851 and 1852, and that, since that fulfilment had not taken place, those Powers were no longer bound by their signature.

It is certainly unnecessary to have recourse to any lengthy explanation in order to prove the complete futility of this argument. In the first place—and this consideration will make any further deduction superfluous—the question of the integrity of the Danish Monarchy, the maintenance of which has been recognised as a necessary element of the political equilibrium, cannot, from its very nature, be made subordinate to this question of a secondary nature, viz., whether the internal relations between the different provinces of the Monarchy shall be regulated in this or in that manner. I will not here engage in a discussion upon the purport of the negotiations of 1851 and 1852, nor upon the so-called abandonment which the Government of the King is said to have made spontaneously of that internal arrangement which had been foreseen in the negotiations. These points have been sufficiently discussed between ourselves and Germany, and they belong to a phase in our dispute which the fresh aspirations of Germany have already long overstepped. I

have shown that a condition like that now in question could not, from its very nature, have found a place in a definitive decision like that of the Treaty of London. Moreover, a simple perusal of that document will suffice to prove that this condition was not expressed in it in any form whatsoever.

The text of Article III of the Treaty runs thus—"That the reciprocal rights and obligations of His Majesty the King of Denmark and of the German Confederation with respect to the Duchies of Holstein and Lauenburg, rights and obligations which were established by the Federal Act of 1815 and by the existing Federal law, shall not be altered by the present Treaty."

These terms refer only to the ordinary rights which belong according to the Federal acts to the Confederation with respect to all its members, and they expressly exclude those special rights which, without reference to the Federal Act and to the ordinary Federal legislation, the Confederation pretends to have acquired with respect to Denmark, by the negotiations of 1851 and 1852. But, moreover, Article III of the Treaty only reproduces the reservation which Austria had already made when she acceded to the preliminary Protocol of August 2, 1850; for if the rights of the German Confederation were then reserved by that Power it is impossible that she could have meant by so doing to reserve the rights which are now deduced from the transactions of 1851 and 1852, for the very simple reason that those transactions did not then exist.

This assertion that the German Powers are no longer bound by the Treaty of London is therefore so devoid of all foundation that the Government is entitled to hope that it was never seriously brought forward, and I feel convinced that Prussia and Austria will be the first to disavow this argument should it be employed in the Diet. But the attitude alone which the German Confederation has assumed is of such a nature that the Government of the King sees itself compelled to draw the attention of the Cabinet of St. James's to the serious question which is even now under discussion before the Assembly at Frankfort, viz., whether an European Act, signed by the Powers most interested in the balance of Power in Europe, and subsequently approved of by nearly every State, can be overthrown by the smaller German States, incited as they are by the spirit of revolution and encroachment which, with respect to Denmark, has been long manifest in Germany.

The British Government took so significant a part in the conclusion of the Treaty of London, they have manifested so constant an interest in the maintenance of the integrity of the Danish Monarchy, that I am convinced the assistance of their good offices will not be denied to the Government of King Christian IX on an occasion when the Danish nation is firmly determined to defend its incontestable right to the last extremity.

I request you, Sir, to read and give a copy of this despatch to Earl Russell.

I have, &c.

(Signed) C. HALL.

No. 314.

Lord Bloomfield to Earl Russell.—(Received November 30.)

(Extract.) *Vienna, November 26, 1863.*

UPON my communicating to Count Rechberg the substance of your Lordship's despatch of the 23rd instant, in which your Lordship states that Her Majesty's Government are sorry to learn that the pretensions of the Prince of Augustenburg have been brought before the Diet of Frankfort, and that the subject has been referred to a Committee, his Excellency said he considered these pretensions untenable; and did not believe they could stand a critical examination. The Duke, his father, had renounced in a solemn act all claims for himself and his family for ever. He and his son could not absolve themselves from this act, or there was an end to the faith of Treaties; and every Sovereign on his accession might henceforward repudiate the acts of his predecessor. The next Emperor of Austria, for instance, might declare that he was not bound by the arrangements of Villafranca, and proceed at once to take possession of Lombardy.

With reference to the other part of your Lordship's despatch, in which your Lordship states that Her Majesty's Government have no other course to pursue than to observe faithfully the engagements of the Treaty of the 8th of May, 1852, and expect the other co-signing Powers to do the same, Count Rechberg said that Austria would be true to her engagements, but that she was placed in a trying position by the breathless haste with which the King of Denmark had sanctioned the new Constitution, and thus put himself in the wrong towards Germany.

I replied that the King's position was one of extreme difficulty, and that it would

have been almost impossible, as I understood, for His Majesty to resist the pressure exercised on him by the ultra-Danish party. Count Rechberg said this might be, but the King could not be ignorant of the engagements by which Denmark had bound herself not to incorporate Schleswig into the Kingdom, and that it might be moreover remarked that the Danish Government had only been able to carry the measure through the Rigsraad by a majority of two, and that further no Schleswigers had attended. The King ought, he added, to have taken more time to consider the importance of the act he had been pressed to sign as affecting his relations with Germany, and to have listened to the friendly advice which had been given from Vienna and Berlin. As to the question of Succession, the Imperial Government fully recognized the obligations imposed on it by the Treaty of May 8, 1852; Austria will keep to her engagements, and Denmark must keep those which she has contracted with Germany.

No. 315.

Lord Bloomfield to Earl Russell.—(*Received November* 30.)

(Extract.) *Vienna, November* 26, 1863.

COUNT RECHBERG deeply regrets the serious complication which has arisen in the affairs of Germany and Denmark by the sanction given to the new Constitution by King Christian, but is unwilling to admit that any blame can be attached to Austria for her proceedings in the matter. She and Prussia had warned Denmark of the inevitable consequences of the incorporation of Schleswig; they had reminded Denmark over and over again of her engagements with Germany; their words had passed unheeded, and Count Rechberg no longer sees the means of averting the Execution: on the contrary, his Excellency now thinks that the more it is accelerated the better for Denmark as well as for Holstein, because free corps will be soon organized, and the Duchy will become a prey to anarchy and confusion; whereas the presence of regular troops, acting in the name of the German Confederation, will be better able to maintain order and authority until the rights of the question raised can be decided. This proceeding, he considers, is in the true interest of all the parties concerned, and he trusts that unnecessary opposition will not be raised against this course.

Count Rechberg said your Lordship will no doubt have been informed by Sir Alexander Malet of the difficulties which the united efforts of Austria and Prussia have met with at Frankfort. His Excellency is endeavouring to steer a middle course, and hopes that time will come to his aid at Frankfort. He considers the intended Execution in face of the excitement now prevailing in Germany will be in the interest of the Treaty of Succession of May 1852, and prove a means of checking the democratic influences and revolutionary tendencies of the National Verein; but he observed that at the present moment he could not answer for any decision that may be taken by the German Diet, because, as he had already said, Austria and Prussia were in a minority, and the majority were pressing not for execution but for occupation.

Occupation, I said, was war, and I hoped, if the Execution were ordered, it would be clearly shown that it was undertaken merely in the interests of the Duchy of Holstein; for if those of Schleswig were brought forward, he was well aware of the international character which the question would immediately assume. Count Rechberg promised to do his best to restrain the present violent feelings of the Diet, and to endeavour to guard against complication, but he seemed to have little hope of succeeding unless he was aided by Her Majesty's Government in the present crisis; the policy of Austria (and an unpopular one it was) would be to uphold at Frankfort the Treaty of May 8, 1852, but if Austria and Prussia held to their engagements, Denmark should understand that she also must keep hers to Germany, and that the Constitution as sanctioned by the King cannot be carried out in the face of those engagements.

I suggested to Count Rechberg that the German Diet might ask for the withdrawal of the Letters-Patent of March 30 and the compliance in Holstein with the demands of the Diet upon Holstein. He said this was now all too late; Austria and Prussia had repeatedly and always in vain demanded the recall of these Letters-Patent, and there was now no other course open but to carry out a Federal Execution with as little delay as possible.

No. 316.

Lord Bloomfield to Earl Russell.—(*Received November* 30.)

My Lord, *Vienna, November* 26, 1863.

I HAVE taken an opportunity of reading to Count Rechberg your Lordship's despatch of the 18th instant to Sir Alexander Malet, on the subject of the mediation of Great Britain in the international question, on which Denmark and Germany are now at issue, which Her Majesty's Government would be disposed to offer.

His Excellency said that he had heard already from Baron Kubeck respecting this suggestion. He, for his part, would be very thankful to Her Majesty's Government for their aid and assistance in the matter; but at this moment, and in the present humour of the Diet, he hardly thought this considerate proposal would be accepted.

I have, &c.

(Signed) BLOOMFIELD.

No. 317.

Lord Bloomfield to Earl Russell.—(*Received November* 30.)

(Extract.) *Vienna, November* 26, 1863.

THE Russian Chargé d'Affaires has communicated to Count Rechberg a despatch of Prince Gortchakoff on the Danish question.

His Excellency has mentioned to me that Russia appeared to take a correct view of the present state of the affair, and had expressed regret at Copenhagen at the hasty adoption of the Constitution.

No. 318.

Lord Bloomfield to Earl Russell.—(*Received November* 30.)

My Lord, *Vienna, November* 26, 1863.

I HAVE the honour to transmit herewith a translation by Mr. Barrington of an article from the official "Vienna Evening Post" on the subject of the Danish Duchies. The views maintained are, that the question of the Succession should be kept quite clear from the Constitutional question, and that, as regards the former, Austria, if she ignored the provisions of the London Protocol, would be setting an example of breach of Treaties full of danger to her honour and her interests.

The article has had a soothing effect on the public mind.

I have, &c.

(Signed) BLOOMFIELD.

Inclosure in No. 318.

Extract from the "Vienna Evening Post" of November 23, 1863.

(Translation.)

IN consequence of the events of the last few days the German-Danish dispute has taken a turn as serious as it is complicated; slumbering claims have been revived, far-reaching wishes and hopes have been excited, and in the tumult of conflicting opinions arising out of this state of things, it is essential to take up a firm position in order not to be carried away by a movement which is unsettled both as regards the ideas which are to guide it, and as regards the object which it is to attain.

We think there is only one true way of treating the question, viz., to draw a clear line between claims which are indisputably just, and those the legality of which is not plainly binding. Exalt as we may the Constitutional rights of the Duchies, convinced as we may be of the invalidity of the Constitution, sanctioned by King Christian IX, by virtue of which Schleswig is simply incorporated into the Kingdom of Denmark; the Succession question, nevertheless, appears to us to be insufficiently cleared up, and we should seriously lament a decision being too rapidly taken on the matter.

It is at present merely requisite that we should draw attention to the position in

which Austria and Prussia are placed. Both States subscribed to the London Protocol, and are solemnly pledged to abide by it, and we think that they are the less able to avoid this duty, since the Treaty was one in which several States joined, and its observance does not devolve on Denmark alone, but on all the Contracting Parties. We advance this argument against statements which have been made to the effect that the non-fulfilment by Denmark of her engagements completely invalidate the Treaty.

Even supposing a collision likely to arise out of the question at issue, principles of duty would have to decide as to the course to be taken, and according to our views the consequences of a possible conflict with the greater part of Europe should be seriously considered; not only because they might be more productive of danger than is anticipated by some, but also, and to us apparently chiefly, because the non-German Contracting Powers might apply the argument of the breach of Treaty to their own purposes, and might give to an attack the semblance of a mere protection of rights.

But we fear that the movement once begun would not stop here. The collection of European Treaties forms an edifice on which, though its value may be here and there disputed, the public law of the Continent nevertheless rests. One stone removed from this edifice may make the whole totter; and with what appearance of right could we resist, in the event of our privileges, which are founded on European Treaties, being endangered, if we were ourselves to create a precedent which could be employed against the continuance in force of Treaties?

The rights of the Duchies are not called in question in the London agreement. The recognition of them was then renewed by all the European Powers, and we therefore think that it is in the interest of these Powers to insist that the Constitution question should be solved in consonance with the honour, dignity, and undeniable legal claims of Germany. On the other hand, these Powers are bound by the spirit and letter of this agreement; and if Germany is finally obliged to maintain her rights by force, they would have no legal pretext for hindering her, and indeed intervention would amount to an infringement of the very rights guaranteed by the Treaty.

What we have said brings us to the conclusion that it is absolutely necessary to keep the Constitution question apart from the Succession question. Rights that are undeniable demand acknowledgment; those that are doubtful may be subjected to examination. So much, however, appears certain, that though action and examination may be continued at the same time, they cannot be united together; and that action, if it is to be of any use, cannot be based upon what may be anticipated as the possible, though not necessarily the probable, result of a long and difficult examination.

Our heart and soul are in Germany's honour and greatness; we are convinced that Austria, notwithstanding many considerations arising from her internal and external position, will avoid no danger nor sacrifice in a question of firmly guarding Germany's rights in the Duchies. But the wish is natural that the already existing difficulties should not be augmented unnecessarily, and that no decisive steps should be taken which cannot be submitted to the criterion of strict legality.

No. 319.

Lord A. Loftus to Earl Russell.—(*Received November* 30.)

My Lord, *Munich, November* 26, 1863.

THERE exists great fermentation and excitement in all parts of Bavaria on the question of Schleswig-Holstein.

The enthusiasm in favour of the Prince Frederick of Augustenburg pervades all classes and ranks of society; and men of all political opinions are cordially united to enforce at any cost or risk the fulfilment of their views, and to separate the Duchies of Schleswig-Holstein and Lauenburg from Danish rule.

I have the honour to forward to your Lordship herewith a précis in translation, for which I am indebted to Mr. Trench, of a declaration passed by a numerous meeting held at Augsburg in favour of the rights of the Duchies of Schleswig-Holstein, under the Government of Prince Frederick of Augustenburg; as also a petition addressed to the King of Bavaria, praying His Majesty to use his influence at the Diet to uphold the rights of the Duchies of Schleswig and Holstein under their lawful Duke, and to cause them to be recognized, if necessary, by force of arms.

A meeting of a similar character was held here yesterday evening, at which 4,000 persons were present. Several resolutions were passed, of which I have the honour to forward to your Lordship herewith a copy in translation, the object of which is to invite

the co-operation of the Bavarian Government in favour of the German Duchies, and it was agreed that these resolutions should be conveyed to the knowledge of the Minister for Foreign Affairs by a deputation.

I have, &c.
(Signed) AUGUSTUS LOFTUS.

Inclosure in 1 No. 319.

Précis of the Report of the Proceedings of the Popular Meeting held at Augsburg on the 22nd of November, relative to the Schleswig-Holstein Question.

(Translation.)

THE Augsburg papers contain the most important particulars with regard to the popular meeting held here to-day, but they are of such great length that we must confine ourselves to noticing the chief points.

There were present in the great room of the Town-hall about 3,000 persons of all ranks and classes. The Mayor, M. von Forndran, opened the meeting, and after remarking on the position of the Schleswig-Holstein question, referred to the question of right, and recommended the most energetic defence, even by recourse to arms, of the clear and undoubted rights of Germany and of the Duchies, for it was not only a question of the defence of the rights of Germany, but also of the honour of Germany, and for that object, he said, are we assembled, in order to make the voice of Augsburg heard in the councils of Germany, and at the same time to express the opinion of the town in an address.

We can place the fullest confidence in the Bavarian Government that the wishes here expressed will be attended to, for was it not the Bavarian Government which in 1852 preserved the rights of the Duchies?

Dr. Völk then spoke in the following sense:—

"The meeting understands with what object it was convoked. I, the speaker, have been charged with drawing up the draft of the Address to His Majesty the King, which will now be placed before you, accompanied by a Declaration."

The Declaration is as follows:—

"The meeting declares—

"Through the death of the King of Denmark the bond of union between Denmark and the Duchies of Schleswig-Holstein is dissolved. The Duchies are free, independent States, and their lawful Sovereign, Duke Frederick of Schleswig-Holstein, has already assumed the government of them. The independence of the Duchies is illegally suppressed, and the Duke is likewise prevented from exercising his rights.

"It is therefore the duty of the German Confederation and of the German Governments to bring about the recognition of the ancient rights of Schleswig-Holstein by every means in their power, and even if it should be necessary; by recourse to arms."

The Address is in the following sense:—

"Most High and Mighty King!

"The death of the Danish Monarch has dissolved the union between Denmark and the Duchies of Schleswig-Holstein, and by Right of Succession the Prince Frederick of Schleswig-Holstein-Sonderburg-Augustenburg has by his Proclamation of November 16 assumed the government of those Duchies, and now the period has arrived to free those German countries from Denmark and secure them to Germany. The Danish Government, however, does not recognize the ancient rights of the Duchies, and leans for support on the London Protocol of May 8, 1852. The King of Denmark has by signing the new Constitution failed to carry out the engagements taken by Denmark towards the signers of that Protocol.

"This Protocol is not binding on the Confederation, as it was not accepted by the Diet, which was owing in a great measure to the energy displayed by your Majesty's Government.

"In the interest of the integrity of Germany it cannot be allowed that any portion of the territory of the Confederation should be occupied by a foreign Power. The honour of the German nation and of the German Governments cannot consent to a portion of their country being given up at the bidding of a foreign Sovereign, and we declare that the whole German nation, without exception, are ready to stand by their respective Governments to prevent any attempt being made to wrest any portion of territory from the Confederation. We, the people here assembled, do therefore humbly beg your Majesty to use your influence at the Diet in order that the ancient right of independence and union of the

Duchies of Schleswig-Holstein under their lawful Duke may be upheld, and that, if necessary, the recognition of such right should be brought about by force of arms."

"We remain, &c.

(Here follow the Signatures.)

The object of this Address, Dr. Völk remarked, was to show the legitimacy of the Succession of the House of Augustenburg, and he said that in this question Germany should not shrink from a war. For on this point all parties were united. Germany must not be discouraged by the overwhelming force of her neighbour, but must uphold her honour and her rights, and for that object we must arm ourselves. If the people of Germany are only courageous the object will be attained, and the day when Schleswig-Holstein's banners shall wave victoriously, so also will those of Germany be raised triumphantly.

This speech, often interrupted by prolonged cheers, was furiously applauded.

M. Forndran then rose to ask the assembled people whether they gave their full consent to the Resolution, as well as to the petition to His Majesty the King. The meeting then gave its unanimous assent.

Inclosure 2 in No. 319.

Resolutions passed at the Meeting held in the Odéon, on the Schleswig-Holstein Question.

(Translation.) *Munich, November* 26, 1863.

AT the meeting, numbering 4.000 persons, which was held yesterday evening in the Great Hall of the Odéon, and at which more than half the people were obliged, for want of room, to remain at the doors, the following Resolutions were passed:—

"1. Denmark's continued endeavours to supplant Germany's rights, customs, and tongue in the Duchies, is a continued attack on the honour of the German nation.

"2. It would be inexcusable, therefore, were the power of the German Confederation to allow the moment to pass by unprofited of, when fate itself had legally brought so near the total change of this state of things.

"3. It is only through the un-Germanlike position taken up by the two great German Powers that this national disgrace can continue; and it is also only their patriotic unity that can and must see justice done to the oppressed rights and offended national feeling.

"4. The German people are entitled to expect that some step be taken by their Governments by which the rights of Schleswig-Holstein, now endangered by Denmark, shall be at once supported and defended with all energy.

"5. The German people, prepared for any sacrifice, are ready to support their Governments in this crisis."

It was at the same time determined that these Resolutions should be brought to the knowledge of the Minister for Foreign Affairs by a Deputation.

No. 320.

Sir A. Malet to Earl Russell.—(*Received November* 30.)

My Lord, *Frankfort, November* 27, 1863.

I HAD the honour of acquainting your Lordship by telegram on Monday last, the 23rd instant, that the Austrian and Prussian Governments admitted in principle the desirableness of mediation by Her Majesty's Government in the international questions in dispute between Denmark and Germany relating to Schleswig, and to the relations of Holstein to Denmark in the Constitution, on which points I had been instructed by your Lordship to ascertain the dispositions of these Governments. I had to add to that report, that Count Rechberg thought it would be necessary to require the King of Denmark to withdraw the sanction of the common Constitution for Denmark and Schleswig, as a preliminary condition to acceptance of British mediation.

This communication, confidentially made to me by Baron de Kubeck, was accompanied by an expression of great regret that our offer had not been made during the lifetime of the King of Denmark, when Austria could readily have accepted the friendly

M. de Sydow, on his part, intimated that his Government would expect to have the points to which our mediation was to extend clearly defined, but did not specify any point of limitation.

M. von der Pfordten has since informed me that the circumstances which had arisen out of the death of the King Denmark obliged his Government, with much regret, to reject any offer of foreign mediation.

Had the wishes of Her Majesty's Government in this respect been clearly intimated at an earlier period they might, he said, have appeared admissible, but at present the question of Succession was the first to be decided, and his Government, duly appreciating the friendly feeling of Her Majesty's Government, must decline our offer.

I am further enabled to inform your Lordship that, independently of the inadmissible condition which the Austrian Government would impose on your Lordship's projected offer of mediation, such is the temper of the minor German Governments, or such the influence of external pressure upon them, in the actual state of the Danish question, that I hardly think one of them could admit British or any other intervention, however restricted might be its scope; but on this complication of the subject I will enter more fully in another despatch.

I have, &c.
(Signed) A. MALET.

No. 321.

Sir A. Malet to Earl Russell.—(*Received November* 30.)

My Lord, *Frankfort, November* 27, 1863.

THE Bavarian Minister, in the Diet's sitting on the 21st instant, made remarks on the protest of the Danish Envoy in reference to the London Treaty of 1852, referred to in the latter Minister's protest against the proposition of the Baden Minister in behalf of Prince Frederick of Augustenburg, which it is necessary to record, as the view expressed on this subject by his Excellency will form the key to very important proceedings of the Diet about to be founded thereon.

His Excellency said, "Without yet in any wise going into the capital question, he must remark, as regarded the reference made to the Treaty concluded in London on the 8th May, 1852, that this Treaty had not yet been brought within the official cognizance of the High Diet, still less had it been recognized by them.

"This Treaty therefore, so far as the High Diet is concerned, has no legal existence; that Assembly has rather, as far as regards it, entire liberty of action."

I have, &c.
(Signed) A. MALET.

No. 322.

Sir A. Malet to Earl Russell.—(*Received November* 30.)

My Lord, *Frankfort, November* 27, 1863.

I HAVE had the honour of reporting the course taken by the Oldenburg Government in reference to the questions of the Danish Succession in my despatch of November 24th.

I have now the honour to state that the Saxon Government, another of those which acceded to the Treaty of London of 1852, is about to take steps in the Diet which are altogether opposed to the objects sought to be secured by that Treaty.

The Saxon Envoy has, as it is publicly made known, received instructions from his Government to propose in a sitting of the Diet to be held to-morrow:—

First, to exclude the Danish Envoy for Holstein from the Diet; secondly, to occupy Holstein and Lauenburg till the right of Succession is decided by the Diet; and, thirdly, to increase the force which was ordered to be in readiness for Execution.

I am told that these Governments justify their proceedings by the reserves which they made in their accessions to the Treaty of London. Both those Acts, however, distinctly recognize the main object of that Treaty, which was to secure the integrity of the Danish Monarchy by the Succession of the Glucksburg Family to the Crown. And as the reserves (as far as I can understand them) solely refer to surrender of certain eventual rights of Succession which might have devolved on the reigning Houses of Oldenburg and Saxony,

it is not easy to find a justification for acts directly attacking the principle of the Treaty, such as Oldenburg has alreadydone, and Saxony is on the point of committing.

I have, &c.
(Signed) A. MALET.

No. 323.

Sir A. Malet to Earl Russell.—(*Received November* 30.)

(Extract.) *Frankfort, November* 28, 1863.

IN forwarding to your Lordship Lord Augustus Loftus' despatch of the 26th instant, I have to state that public meetings for objects similar to those which his Lordship reports upon, have either been held or are in preparation in every town of any note in Germany.

These meetings generally ended by appointing Committees, some of which are charged merely to watch the progress of the Schleswig-Holstein question; others, as for instance the Committee named in Frankfort, have to receive subscriptions and gifts of arms and munitions of war, and to enrol volunteers.

The so-called National Verein, meeting this time in Berlin, has issued an address of the most inflammatory kind, appealing to the Holsteiners themselves to rise in revolt, and promising the assistance of all Germany, which is called upon to look to the National Verein for leadership.

Your Lordship has probably already heard that M. de Beningsen, as President of that Society, has had an interview with Prince Frederick of Augustenburg; that he had tendered the aid of that Society to the Prince in asserting his claim to the Schleswig-Holstein Duchies; that the Prince answered the Address made in the name of the Society favourably, and that he has subsequently received from the Society the funds they have been collecting since their existence for building a German fleet (amounting to about 15,000*l.*), to be applied in any manner he thinks best.

It would be wilfully to ignore facts to underrate the importance of this movement, as it actually shows itself throughout Germany. The Minor Governments are quite powerless to act against it, even if they had the will to do so. Some of them, Saxony for instance, seem to be trying to make a merit of necessity, and are acting in conformity with popular demands. I understand that the plea of liberation from the engagements of the London Treaty of May 8, 1852, on account of Danish bad faith, will be put forward as a justification by those States which, having acceded to the Treaty, are now acting counter to its provisions.

In all the agitation which pervades Germany, the most dangerous feature is its existence in Holstein itself, and in part of Schleswig, as shown in the refusal of the Civil Authorities to take oaths of allegiance to King Christian IX as Duke.

Should any collision take place between the Danish military and the inhabitants of those provinces, German passion will be raised to an uncontrollable pitch, and war will in my opinion be inevitable.

No. 324.

Sir A. Malet to Earl Russell.—(*Received November* 30.)

My Lord, *Frankfort, November* 28, 1863.

THE Report of the Commissioners to which were referred the credentials of M. Mohl as Envoy from Prince Frederick of Augustenburg as Duke of Holstein, will be presented to the Diet to-day.

I need not occupy your Lordship with the details of this Report. It recommends the Diet, 1st, temporarily to suspend the exercise of the Holstein-Lauenburg vote in the Diet's sittings; 2nd, to communicate the decision taken in this matter to Baron de Dirchinck-Holmfeldt, and also to M. Mohl.

The dissent of Austria and Prussia to these conclusions, as forming the minority of the Commission, is appended to the Report.

I this moment learn that in the sitting a proposition has been made by the Saxon Envoy, Count Nostitz, to exclude the Danish Minister from the sitting, and that this motion was adopted by a large majority.

M. de Dirchinck-Holmfeld was not even allowed to enter a protest, although the

President and the Prussian Minister made efforts to get him a hearing; and expressed the wish that his presence should be tolerated in this sitting.

M. Von der Pfordten and Count Nostitz were, as I learn, both active in their efforts to prevent M. de Dirchinck from speaking; and the President having suspended the sitting, the Danish Envoy withdrew.

The sitting as I learn has since been resumed, and my Report will be continued as soon as I learn the result.

I have, &c.
(Signed) A. MALET.

No. 325.

Mr. Murray to Earl Russell.—(*Received November* 30.)

My Lord, *Dresden, November* 27, 1863.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 23rd instant, on the subject of the Succession to the Duchies of Schleswig and Holstein. Since the date of the last despatch which I addressed to your Lordship on the 24th instant, it seems to me that various circumstances and considerations have contributed to damage, in the estimation of most of the German Governments, the claims of Prince Frederick of Augustenburg. The Austrian Government, while acknowledging its primary obligation to consult the honour and interests of the Confederation, has not scrupled to own the force of that which binds it to the Protocol of 1852, and has, moreover, contested the claims of Prince Frederick to the Succession on grounds independent of that Protocol. The full purport of the Act of Renunciation on the part of the present claimant's father in December 1852, in which he ceded all his rights, claims, &c., in these Duchies for himself, his family, and successors, in consideration of a large pecuniary compensation, is also becoming more widely known and appreciated. The concurrent pretensions of other claimants of this Succession will naturally tend to create a general feeling in Europe in favour of supporting a Treaty signed more than ten years ago by the Great Powers, for the express purpose of disposing of these rival claims; and even the Confederation itself is more bound by that Treaty than it seems disposed to admit, if it can be shown that it had entrusted full powers to Austria on this subject at the date of the signature. An intelligent French journalist has the following paragraph in an article on this subject:—

"L'Autriche et la Prusse avaient été conjointement munies des pleins pouvoirs de la Diète pour le règlement définitif des arrangements ultérieurs à concerter avec le Danemark touchant le Holstein. Ces pleins pouvoirs, ainsi que le constate un Arrêté de la Diète en date de Francfort le 29 Juillet, 1852, ne sont expirés que ce jour-là, c'est-à-dire, deux mois et demi après la conclusion du Traité intervenu à Londres le 8 Mai précédent." ("Mémorial Diplomatique, No. 28, Novembre 22, 1863:" Paris.)

The Resolution herein referred to will be found in the journals of the Diet, cap. 67, paragraph 197, of July 29, 1852, 19th sitting.

This argument ought certainly to have great weight in any discussion arising on the question between Her Majesty's Government and the Members of the Confederation. It must be admitted, however, that there is some inconvenience in referring to it, because in the same day's journal are recorded the engagements entered into by the King of Denmark in respect to the future administration of the Duchies; and it is on the infraction of several of these engagements by Denmark that the partisans of the Prince of Augustenburg rest the support of his claims.

I have, &c.
(Signed) CH. A. MURRAY.

No. 326.

Mr. Ward to Earl Russell.—(*Received November* 30.

(Extract.) *Hamburgh, November* 27, 1863.

THE accounts received here from various places in Holstein represent the inhabitants of the Duchy as by no means well inclined to submit to the rule of King Christian IX. A great number of official persons have refused to take the oath of allegiance to the new King, on the ground that the last oath of allegiance, taken in 1848, was to King Frederick VII and his legitimate successors, and that the Prince Frederick of Augustenburg

is now the legitimate heir. Among these recusants are all the Judges of the Supreme Court of Appeal at Glückstadt, two of the Judges of the High Court of Appeal at Kiel, nearly all the Professors of the University of Kiel, the majority of the Magistrates and Advocates there, and a number of the Clergy: At Altona the Magistrates, with two exceptions, and all the Advocates except three, have likewise refused the oath. The garrison of Altona has meanwhile been strengthened by an addition of 2,000 Danish troops. In the districts of Meldorf and Eismar the officials have met together and agreed among themselves to refuse the oath.

The Address from the States of Holstein to the Federal Diet, mentioned in my last despatch, not having been signed by all the members of the Assembly, the remaining members, with the Deputies chosen to replace them in the Assembly in case of need, met together on Tuesday last at Streit's Hotel in this city, and agreed upon a supplementary Address to the Diet, which has likewise been transmitted to Frankfort. The subscribers to this latter Address protest against the new Danish law for the incorporation of Schleswig, and against the right of King Christian IX to the Crown of the Duchies, and they pray the Diet to decide for the legitimate claimant. The meeting also declared its approval of the conduct of those official persons in Holstein who had refused the oath to the new King. The Baron Charles de Scheel-Plessen, late President of the Holstein States, was unable to be present at this meeting, he having been summoned to Copenhagen, and been offered, as is reported, the Ministry for Holstein.

The agitation in Hamburgh in the cause of the Duchies continues. The permanent Schleswig-Holstein League, noticed in my last despatch, has held another large meeting of above 3,000 persons, at which resolutions were passed expressive of concurrence with the previously published programme of the Hamburgh branch of the German National League, viz., separation of the Duchies from Denmark, recognition of the Prince of Augustenburg as Duke, and an appeal to the German nation to take up arms for the legitimate Ruler. The Committee of this Schleswig-Holstein League has published, under date of the 23rd instant, an animated appeal to the people of Germany, urging them in the most high-flown language to immediate action on behalf of their oppressed countrymen in the Duchies, and declaring that in so sacred a cause no enemies, whether at home or abroad, would be able to withstand the united will of the German nation. A meeting of the so-called Democratic League also took place here in the Casino on Tuesday evening, and was attended by some thousands of persons. The proceedings were of the same character as those of the Schleswig-Holstein League, and resolutions were passed to a similar effect, viz., for the independence of the Duchies under the Prince of Augustenburg as Duke, and appealing to the German nation to take up arms in the legitimate cause.

I understand that a number of volunteers now hold themselves in readiness in Hamburgh, and that it is supposed a volunteer army of 20,000 men might be at once raised in Germany without any difficulty.

A motion has been made in the Assembly of Hamburgh Burghership for urging the Senate to support the rights of the Duchies, and to recognize the Prince of Augustenburg as the Successor in the male line. A similar motion has been actually adopted by a numerous assembly of the Burghership of Bremen held yesterday. The probability is that the Government of the Hanse Towns will vote with the majority of the Federal Diet in this, as they usually do in other questions.

That a Federal army will before long make its appearance in Holstein can scarcely be doubted, although it is not yet clear whether it will take the form of an Execution or a Sequestration, or whether the German Governments intend to occupy Schleswig also, and thus establish a *casus belli* internationally. An official organ of the Prussian Cabinet (the "Nord-Deutsche Allgemeine Zeitung") repeats daily that the hour has come for satisfying the just wishes of the German nation in regard to Schleswig-Holstein. The same journal has remarked, with reference to the engagements of Prussia towards the European Powers under the London Treaty of May 8, 1852, that those engagements are subject to the previous obligations of Prussia as a Member of the Germanic Confederation, and that Article III of the Treaty stipulates that the existing rights of the Confederation shall not in any way be impeached thereby.

No. 327.

Sir A. Buchanan to Earl Russell:—(*Received November* 30.)

My Lord, *Berlin, November* 28, 1863.

THE right of Succession to the Sovereignty of the Duchies of Schleswig and Holstein continues to be the principal subject of discussion in the press and in society here,

all parties having more or less had reasons for favouring the pretensions of the Prince of Augustenburg.

The Feudalists, on these pretensions being first put forward, were disposed to identify them with the cause of Legitimacy, while they hoped they might also prove a means of bringing about a reconciliation between the King and the Chamber of Deputies; and the Liberal party could not fail to respond to a call which has revived one of the most popular questions of 1848, and an idea which has stirred the minds of the people throughout Germany to a degree which is scarcely intelligible to a foreigner.

Persons therefore connected with the Government and with the Ministry for Foreign Affairs talk of the impossibility of Prussia being insensible to the unanimous expression of the public opinion of Germany, and they speak of the danger of resisting a national feeling so universal and so intense as that which is daily manifesting itself in popular demonstrations throughout the Confederation; at the same time that they profess that the Government will be faithful to its international engagements, and will not be carried away by the stream like those of the smaller States. To acknowledge the popular voice therefore, by adopting some half measure, seems to such persons to be the only safe course which is open to the Government; and they maintain that an Execution in Holstein would at once calm the present excitement, and while satisfying the feelings of the people of Germany would prevent any revolutionary movements in the Duchy. To these persons the friends of Denmark reply that a Federal Execution cannot be carried out without in some degree acknowledging King Christian's sovereignty in Holstein; and, on the other hand, if the Execution should be of a nature to call His Majesty's rights in question, it would become a sequestration, or an occupation of the Duchy, in which case it cannot be expected that the King should sit quietly and allow himself to be deprived of a province of which Europe has solemnly recognized him to be the Sovereign.

As a sequestration would therefore be a hostile act, it is asked whether Prussia is prepared for such an eventuality, and the answer generally given is, that if statesmen have to meet a choice of evils, they must take the least; and that the danger of war abroad is preferable to the certainty of revolution at home.

The Government, however, within the last few days appear to have been recommending moderation to their supporters, who have begun to show less sympathy with the claims of the Prince of Augustenburg, and some strictures have appeared in the "Kreuz Zeitung" on the cession of claims by the Duke of Augustenburg to his son, for which he had already received a pecuniary indemnity from Denmark.

In the meanwhile the imprudence of the Danish Government in calling for an oath of fidelity from the public functionaries in the Duchies in, I believe, an unusually hasty manner, has given many of them an opportunity of making a demonstration against the rights of King Christian, and giving increased weight to the deputation which has gone to Frankfort. It is difficult, however, to ascertain exactly what the people of the Duchy look forward to.

There are, I am told, three parties among the disaffected, of which the most numerous are not unfavourable to a continued union with Denmark, on condition that the Duchies of Schleswig and Holstein should be united under one administrative system, having equal legislative authority in the Monarchy with Denmark. Another considerable party would gladly see the two Duchies formed into an independent State under a German Prince; but it is only a violent, and I am assured not very numerous party which would prefer the erection of Holstein alone into a petty independent Principality, to the reconstruction of the Monarchy on any basis except that which they claim of the equal authority in the common legislature of each of its component parts. This party, however, which might readily gain adherents if the Duchy were occupied by Federal troops, followed by National Verein agitators, may be classed among the Holsteiners, with the pure Eider-Danes of the kingdom, who are so entirely under the influence of passion and party feeling that they would infinitely prefer the severance of Holstein from the Monarchy to any combination for a common government, in which the German population of Schleswig should be placed under the same provincial administration as Holstein, or that these Duchies should have more influence in the common legislature than they are entitled to in proportion to their population.

With reference to the movement in Germany, it is not improbable that several late political incidents have encouraged the party in the Confederation to whose exertions may be principally attributed the general and enthusiastic character of the support which has been given to the pretensions of the Duke of Augustenburg.

Events in Italy and in Greece, although of an entirely different nature,—those which are passing in Poland, in defiance of the reprobation of three of the great Powers of Europe,—have led the leaders of the German National Verein to believe that if they can

frighten the Governments of Austria and Prussia into adopting their views for the severance of the Duchies of Schleswig and Holstein from the Danish Monarchy, no other Great Power will feel sufficiently interested in the question to offer armed resistance; and one of my colleagues, who has lived for many years in Germany, is so fully convinced of the prevalence of this belief throughout the Confederation, and of its influence in the present march of events, that he believes a decided declaration on the part of the three non-German Powers who signed the Treaty of London, or of England and France, against any armed interference in support of the pretensions of the Prince of Augustenburg, would do much to arrest the movement in his favour.

I have observed also that M. de Bismarck, when I have spoken to him of the opinions of Her Majesty's Government, has generally shown a wish to have them communicated to him in writing, in order, I presume, that he might use them as a means of acting upon others, and of representing to them the serious responsibility which they incur by exciting Germany to disturb an arrangement which has received the sanction of the great Powers of Europe.

I have, &c.
(Signed) ANDREW BUCHANAN.

No. 328.

Sir A. Buchanan to Earl Russell.—(Received November 30.)

My Lord, *Berlin, November 28, 1863.*

THE language of the Liberal Press in regard to the question of Succession in the Duchies of Holstein and Schleswig has been unanimous in urging the claim of the Prince of Augustenburg, and calling upon the Government to withdraw from the Treaty of 1852, and to assist by every means at its disposition in enforcing the pretensions of that Prince.

Similar language has been held by the Committee of the National Verein and by the Corporation of the city of Berlin, as your Lordship will learn from the inclosed extracts of Addresses put forward by those Bodies.

On the other hand, that portion of the public Press which stands related to the Government has observed an attitude of caution, and without directly running counter to the popular stream has been very guarded in its expressions, and careful to avoid any appearance of committing itself to one or the other of the prevailing views on the subject.

The "Nord Deutsche Allgemeine Zeitung," which at first expressed its sympathy for the cause of the Duchies, has of late been especially reserved, and the "Kreuz Zeitung" has not ceased to turn to ridicule the present enthusiasm of the Liberal party for the cause of Legitimacy. It has, moreover, written in a spirit of special hostility against the Duke of Augustenburg and his family.

The following extract from an article in the latter journal is generally considered to have an official origin and to be the version of their policy which the Government are desirous should be current among the public:—

"Prussia must now in common with Austria, before all things, bring to a conclusion at the Diet the disputes which have so long pended with Denmark, and which would be equally pending had the change of Sovereign not taken place.

"The Federal Execution—regard being had to the altered circumstances of the case—must be now carried out. The arbitrary proceedings of the Danes in the Duchies must be put a stop to. Energetic measures must be taken to put an end to the insolence with which the Danish Ministry has for years treated the German Confederation, and done violence to the Duchies. This can be at once done by the German Diet and the Great German Powers, and do it they must, but purely as a Federal measure.

"The Confederation, as such, is engaged in this matter, and the two Great Powers together will act in the matter as Members of the German Confederation. The question of Succession, on the other hand, cannot be treated in the same prompt manner. The Diet may take the initiative to bring about a decision in the question, but it cannot put off its reckoning with the oppressor of the Duchies until the question of Succession has been solved. If Prussia acts in the way we have indicated, she remains in her plain right. She fulfils her duties, and remains in this question on the standing ground of Federal Law."

I also inclose to your Lordship an extract from the Cologne paper, purporting to be written by a Berlin correspondent, which I believe is derived from a well-informed

source. I have reason to believe that the statement therein attributed to M. de Bismarck is correct.

I have, &c.
(Signed) ANDREW BUCHANAN.

Inclosure 1 in No. 328.

Address.

A MEETING of the Magistrates and Corporation of the city of Berlin took place on the 24th instant, at which it was resolved to draw up the following Address, calling upon the citizens of the metropolis to collect subscriptions for the purpose of assisting the movement in Schleswig-Holstein:—

" Fellow-citizens!

" When the news of the death of the King of Denmark arrived, and a few days later the information reached us of the incorporation of Schleswig into Denmark, one feeling filled every German heart; it was this:—Now, or never, is the moment to vindicate the rights of the Duchies, to establish the inviolability of German territory, to emancipate the German language, the German church, and the German school from Danish oppression. The attainment of these sacred objects, however, requires sacrifices. We have sworn to make these sacrifices. Let us therefore at once establish a 'Relief Fund for Schleswig-Holstein.'

" The Undersigned are ready to receive subscriptions from their fellow-citizens.

" You are to take measures that in each district collections are instituted."

(Follow the signatures.)

Berlin, November 25, 1863.

Inclosure 2 in No. 328.

Address of the National Verein on the Schleswig-Holstein Question.

(Translation.)

To the German People!

WITH the death of the King of Denmark and the accession of the Hereditary Prince of Augustenburg, as legitimate Duke of Schleswig-Holstein, the momentous question is addressed to the German people, whether it will endure the disgrace of a kindred German race sharing the fate of Alsace and Lorraine. The German Provinces of Prussia were once subject to Poland, Pomerania was under Swedish dominion, the Rhine lands were incorporated into France. The sword of our ancestors reconquered these territories for the German Fatherland. On us devolves the duty to do the same by Schleswig-Holstein. Schleswig-Holstein is oppressed by foreign troops. Their own sons are away distributed amongst the Danish Islands. Unable at the present moment to offer resistance, our brothers have yet on this side and on the other side of the Eider refused to recognize the Ruler forced upon them. They await in confidence assistance from us. With the voice of warning we turn first to you, Sovereigns of Germany! As sons of the common Fatherland, remember the heavy responsibility which weighs upon you; remember that a nation can forgive and forget many injuries, but can neither forget nor forgive one thing,—the betrayal of its honour and its liberties to the foreigner. Who shall in future respect your legitimate rights if you sacrifice the legitimate right of a legitimate German Sovereign to the foreign oppressor? Who shall for the future believe in your capacity to direct the affairs of the nation if you are capable at this crisis of deceiving the just expectations of the people? Whatever way, however, the decision of the Sovereigns may fall we call upon you, German brothers, yourselves to act, each man in his own sphere, each man with his full power, without reference to party interests, united by the common danger, united in the common defence of the national honour and national independence. The National Verein calls upon every parish, every corporation, every union, every society,—calls upon all the friends of the Fatherland, who will unite with it in the great work, immediately to collect money, and to hold in readiness men and arms, and all the means that may be necessary to support our brethren in Schleswig-Holstein. The subscription to the national fleet held in trust by the National Verein will, now that German coasts have to be defended, find their application in the sense intended by the subscribers. For the object we have in view, however, there is need of far greater funds, and above all there is need of a large and organized system of self-taxation. For this purpose the National Verein has appointed a special sub-committee, the

entire activity of which shall be devoted to this object. German brothers, you have in many ways by speeches and by songs expressed your determination when the hour came to stand by Schleswig-Holstein. Let your deeds now answer to your words. Foreign nations scorn the inability of Germans to act. Prove to them that this scorn is not merited, that you do not care for their threats, and that where German honour is at stake you will brave their armies! And you, men of Schleswig-Holstein, persevere in that manly resistance which we have so often admired in you, till the assistance comes which the German people owes to you and to itself.

Berlin, November 24, 1863.

The Committee of the German National Verein,

(Signed) R. VON BENNIGSEN, *President.*

Inclosure 3 in No. 328.

Extract from the Cologne Paper.

(Translation.)

WHILST the excitement in reference to the Schleswig-Holstein question is rising higher and higher, we are left completely in the dark as to the attitude which our Government proposes to assume in regard to it. The Ministerial Press gives us no hint on the subject. The reflections indulged in by the "Kreuz Zeitung" are purposely ambiguous. Current report, however, gives two very different versions of the attitude of the Ministry. Both versions, however, agree in attributing to His Majesty the King a very warm interest in the cause of the Duchies.

A story, however, is current in Parliamentary circles for the truth of which the writer believes he can vouch, and which would tend to throw a very disagreeable light on the present situation. It is stated that M. de Bismarck said to Count Reventlow, the head of the Deputation of Holstein States which had proceeded to Frankfort, and who on his return from that town passed through Berlin, that it was impossible for Prussia to withdraw herself from the London Protocol, and that she was determined not to wage war for unpractical objects; and he strongly advised the Duchies, therefore, to make their peace with Christian IX as soon as possible.

No. 329.

Sir A. Buchanan to Earl Russell.—(Received November 30.)

(Extract.) *Berlin, November* 28, 1863.

I RECEIVED the day before yesterday a telegram from your Lordship expressing a hope on the part of Her Majesty's Government that no Execution would take place in Holstein until the King of Denmark should have been allowed time to adopt any advice which might be offered to His Majesty by the five Great Powers; and as I met M. de Thile, and learnt from him that M. de Bismarck intended to leave Berlin early next morning with the King, and might be absent for two days, I requested him to convey to his Excellency the substance of the message which I had received from your Lordship.

Late in the same evening I received a further telegraphic message from your Lordship, expressing a hope that a proposal of Prince Gortchakoff, of which Her Majesty's Government entirely approved, would be adopted by the Government of Prussia, that the five Powers who had signed the Treaty of London should send Envoys to Copenhagen to congratulate the King on his accession, and to recommend the expediency of the Danish Government making such modifications in the new Constitution as might enable Austria and Prussia to co-operate with the other Great Powers in the maintenance of the integrity of the Danish Monarchy.

Your Lordship's message, however, arrived at too late an hour for me to intrude upon M. de Bismarck, and there was no hope of my seeing him next day; but on the other hand, it was not improbable that some decided resolution might be adopted at Frankfort within the next two days, which would render the Prussian Government less disposed to accede to the suggestions which it contained.

Under these circumstances I proceeded to the Russian Legation, and acquainted M. d'Oubril, whom I was fortunate enough to find at home, with its contents; but in answer to my inquiries, he said that no such instructions as your Lordship had reason to believe would be sent to him, had as yet reached him.

There seemed little doubt, however, he said, from the information which your Lord-

ship appeared to have received, that instructions must be on their way, or would be forwarded immediately to him in the sense of your Lordship's message; and he therefore entirely concurred in my opinion that it would be advisable for me to lose no time in acquainting M. de Bismarck with Prince Gortchakoff's proposal. I therefore left a letter on the subject at the Foreign Office on my way home, and as M. de Bismarck has returned from the country, I learnt from him to-day that he had received it yesterday morning before leaving Berlin, and had communicated it to the King in the course of the day.

His Majesty, however, had given him no answer, and had reserved the proposal for future consideration.

M. de Bismarck said that he had been surprised, however, to find from my letter that Her Majesty's Government had expressed a hope that no immediate Execution would take place in Holstein, as he had understood from Count Bernstorff that your Lordship had agreed with his Excellency that, if an Execution should take place on the basis of the Federal Decree of the 1st of October, it would prevent any revolutionary movements in the Duchy, and be at the same time to a certain extent an indirect acknowledgment by the Diet of King Christian as Duke of Holstein. I said that, whatever Count Bernstorff had understood your Lordship to say must be overruled by your instructions to me, and that Her Majesty's Government would naturally expect that if advice was to be tendered by the five Powers to King Christian, time would be allowed to His Majesty to adopt it; and besides, if Federal troops occupied Holstein it might be impossible for His Majesty, however personally desirous to do so, to introduce modifications into the Danish Constitution, or, in the event of his present Ministers being unwilling to comply with his wishes on this subject, to form another Government.

M. de Bismarck said the alarming situation of Germany, however, rendered it expedient that the Execution should take place immediately, if the Diet would consent to its being carried out on the old basis, but he could not or would not explain to me how such an Execution could be an acknowledgment of the Sovereignty of the King or avoid the appearance of an occupation.

He said the Execution would be carried out by 6,000 Saxon troops.

I said that I had good reason to believe that there was not the slightest chance of a revolutionary movement in Holstein, unless Federal troops entered the Duchy; but, he said, if free corps attempted to interfere and were repulsed with loss by the Danish garrison, the effect in Germany in the present excited state of the country would be too dangerous, and that in the midst of the complications with which the question was surrounded it was impossible to provide for every objection.

What Prussia intended to do was in the interest of peace, and if war should be the result it must be accepted.

With regard to the admission of M. Dirchinck-Holmfeldt to the Diet, Austria and Prussia would, he said, vote absolutely for his admission as Representative of Lauenburg and for his eventual admission as the Representative of the Duke of Holstein, contingently to his Sovereign fulfilling the engagements on the faith of which Austria and Prussia had become parties to the Treaty of 1852.

While I was with his Excellency a telegram arrived from Frankfort, dated 12·15 P.M., at which hour Baron Kübeck had not received his instructions.

I spoke to his Excellency of explanations which Sir Augustus Paget had communicated to me as to the provisional character which might be attached to the new Danish Constitution, but his Excellency said these were explanations which might be accepted by a friendly diplomatist, but which would not be understood in Germany in the present temper of the people.

P.S.—The Russian Minister received instructions this morning on the subject of Prince Gortchakoff's proposal, and has since had an interview with M. de Bismarck to recommend it to the acceptance of the Prussian Government.

No. 330.

Sir A. Buchanan to Earl Russell.—(Received November 30.)

My Lord, *Berlin, November 28, 1863.*

M. DE BISMARCK has informed me that M. Irminger, who is on his way from Copenhagen to announce the accession of King Christian IX to the Throne of Denmark, may be expected here to-morrow or next day, and that Count Karolyi had asked him how he would be received.

M. de Bismarck said he had answered that there could be no difficulty in the matter as King Christian was acknowledged, at all events, by Prussia as the Sovereign of Denmark and Lauenburg, and that he hoped no written communication would be addressed to the Prussian Government, which would render it necessary for them to make any observations on His Majesty's title to the Sovereignty of Holstein.

I have, &c.
(Signed) ANDREW BUCHANAN.

No. 331.

Sir H. Howard to Earl Russell.—(Received November 30.)

My Lord, *Hanover, November 28, 1863.*

I LEARNT from Count Platen this morning that the Hanoverian military force destined to assist in carrying out the Federal Execution in Holstein is to be raised to 6,000 men, and that orders for collecting it together have been already given, which operation his Excellency thought would require about a fortnight.

According to a statement which has appeared, and which I believe to be tolerably correct, this force will be composed of six battalions of Infantry (about 4,800 men), two regiments of Cavalry (about 760 horses), and about 500 men, Artillery, Engineers, and waggon train, with 16 guns.

I inquired of Count Platen whether there was any foundation for the report I had heard that a further Hanoverian force of 6,000 men, to act as a Reserve, was to be formed.

He replied that no decision had yet been taken on this point; but I inferred from his language that such a measure is not unlikely to be adopted.

The Saxon Corps of Execution is likewise to be raised to 6,000, but whether Prussian and Austrian troops will enter Holstein conjointly with the 12,000 Hanoverians and Saxons, Count Platen said he could not tell me, as this must depend upon the arrangements made by the Special Military Committee now sitting at Frankfort. It had been the original wish of the Hanoverian Government that such should be the case.

Count Platen having recently promised me that the Hanoverian Government would prevent the enlistment of volunteers for the invasion of the Duchies, or the collection of arms for transmission to them, I called his attention this morning to a paragraph in a newspaper, announcing that a Committee for the assistance of the Schleswig-Holsteiners, of which M. de Bennigsen, and other persons of the same stamp, belonging to different parts of Germany, are stated to be members, had been established at Göttingen, and that it was to it that all supplies of money, arms, and other articles, offers, and inquiries, should be addressed.

His Excellency replied that the Minister of the Interior had been charged by the Government to make inquiries on the subject, and if the office thus established came within the meaning of an Enlistment Office, which was illegal, to suppress it. His Excellency said that the Government could not interfere with mere subscriptions.

He added, with reference to my previous question concerning the setting on foot of a Corps of Reserve, that it was in order to prevent the formation of Free Corps and other illegal acts that it would be necessary for the Hanoverian Government to have a respectable military force under arms.

I have, &c.
(Signed) HENRY F. HOWARD.

No. 332.

Sir H. Howard to Earl Russell.—(Received November 30.)

My Lord, *Hanover, November 28, 1863.*

YOUR Lordship will be aware that it is in this day's sitting of the German Diet that the question whether the Danish Envoy or the Representative of the Prince of Augustenburg should be admitted as a Member of that Assembly for the Duchies of Holstein and Lauenburg is to be brought under discussion.

Count Platen informed me this morning that the instruction which he had sent to the Hanoverian Envoy at Frankfort was to vote for the non-admission of either of the claimants until the question of right had been examined. This, he contended, was the only course which

could be pursued with a view to calm down the widely spread excitement in Germany on this subject.

The Hanoverian Government would hereafter vote for the admission of the Danish Envoy as Representative for the above-mentioned Duchies.

I expressed to his Excellency my regret that Hanover and the other German Powers who had signed the Treaty of May 8, 1852, or acceded to it, should not be disposed to take the bolder and more straightforward course of pronouncing themselves at once in favour of the reception of the full-powers of the Representative of King Christian, by which I thought a check would be put upon the agitation which excited their fears.

As regards the further measures to be adopted by the Diet, Count Platen stated that he had directed the Hanoverian Envoy at the Diet to vote in favour of a Federal Execution, as against the *de facto* Sovereign of the Duchies, and not for an occupation, which was a measure of wider bearings and would furnish a pretext for the intervention of foreign Powers. This Execution should be confined to the Duchies of Holstein and Lauenburg, and one of its principal objects would be to prevent the incorporation of Schleswig with Denmark which had been voted by the Rigsraad.

I repeated the strong objections there were to an Execution, and more particularly to one not preceded by a recognition of the King of Denmark's rights of Succession, and suggested that the best mode of solving existing difficulties would be a mediation; but his Excellency replied that the moment had not yet come when such a proposal could be accepted by the Diet.

I then expressed the hope that if an Execution were decided upon the Diet would not precipitate matters, but would grant Denmark the usual respite of three weeks between the issue of the summons to comply with its Resolutions and the actual entry of the Federal troops into Holstein, as time would thus be gained for the passions on both sides to calm down, and for the possible conclusion of a compromise. His Excellency stated that he was favourable to the observance of all the usual terms and formalities, but that he did not know whether the majority of the Diet would in the present instance be willing to grant the respite I had referred to.

I have, &c.

(Signed) HENRY F. HOWARD.

No. 333.

Sir H. Howard to Earl Russell.—(Received November 30.)

My Lord, *Hanover, November 28, 1363.*

THE Schleswig-Holstein fever in Germany is at its height, and may perhaps not be subdued until the calamities of the war which it tends to enkindle shall have sobered down the public mind.

There is hardly a town of any note in this country where meetings of the municipal bodies or popular assemblies have not been held, at which addresses to the King or petitions to the Government have been adopted, urging the employment of force in order to wrest the Duchies of Schleswig-Holstein and Lauenburg from Denmark, and the recognition of Prince Christian of Augustenburg as their Sovereign.

The "Gross Deutschen Verein" ("Great German Association"), which calls itself Conservative, has passed Resolutions in the above-mentioned sense worthy of the National Verein, in opposition to which it was instituted.

No Pretender has been as successful as the Prince of Augustenburg in obtaining recognitions, his claims having been acknowledged without the slightest examination by German Governments, Conservative and Democratic Societies; the motives which united these different elements in common action being the spoliation, under the plea of the protection of an oppressed nationality, of a neighbouring Sovereign, who ought to be the best ally of Germany, of a large portion of his dominions, including a Duchy which never belonged to Germany, and in a good half of which the German language is not even spoken.

It is hardly to be believed that this aim would be so openly avowed, or be sought to be so rigorously carried out, did not the impression so generally prevail in Germany that Denmark has nothing more to expect, at the outstart at least, than moral support from the great non-German Powers who signed the Treaty of May 8, 1852.

The dangerous agitation which has arisen might, in my humble opinion, certainly have been checked had the course pursued by the German Powers who signed that Treaty or acceded to it been bolder and more straightforward; whereas it has been encouraged

by the faithlessness of some of them who, like Saxony, Wurtemberg, and Oldenburg, appear to be disposed to ignore altogether the engagements they have contracted under it; and by the pusillanimity of others who, whilst admitting their obligations, interpret them in a somewhat dubious manner, and hesitate to give their acknowledgment of them that publicity which would render it of real value at the present moment.

In making these observations, I beg to state that it is not my object to exculpate the Danish Government. On the contrary, I do not consider that on their side they have fulfilled the engagements they contracted by the arrangements of 1851 and 1852. It was with this conviction, and foreseeing the outbreak of public feeling which was likely to occur in Germany on the death of King Frederick VII, whose life had long been considered a bad one, that I constantly in my correspondence urged the necessity of the Danish Government making ample concessions. But surely, as your Lordship has so unremittingly and ably argued, the questions in dispute are not of such a nature that they could not be settled by negotiation and compromise, instead of being left to the arbitrament of the sword.

Although I believe that certain parties in Germany have long been waiting for the event which has now occurred, in order to attempt the disruption of Schleswig and the German Duchies from Denmark, yet I cannot deny that the Common Constitution for Denmark and Schleswig, which was lately voted by the Rigsraad, and has been sanctioned by King Christian, and which, if I am correctly informed, has even been pronounced by M. Bluhme, who was Danish Minister for Foreign Affairs in 1852, as tantamount to an incorporation of Schleswig, has considerably increased the difficulties of a pacific solution, as it has greatly irritated even those more reasonable Germans who were desirous of seeing the integrity of the Danish Monarchy preserved. Until this stumbling-block, therefore, is removed, there appears but little prospect of an amicable settlement.

Previous to the sanction of this Common Constitution there existed, I am informed, a disposition on the part of the German Diet to enter into your Lordship's proposal of a mediation, provided a preliminary agreement could be arrived at concerning its basis, but, to judge at least by Count Platen's language, this disposition has disappeared, and has been replaced by a determination to carry out, in the first instance, an occupation of the German Duchies, whether under that name or under the less objectionable one in principle of an execution. I trust, however, though I hardly believe, that his Excellency may be mistaken in this view, and that counsels of moderation may still be listened to by both parties.

I have, &c.
(Signed) HENRY F. HOWARD.

No. 334.

Earl Russell to Mr. Gordon.

Sir, *Foreign Office, November* 30, 1863.

I HAVE received your despatch of the 23rd instant relative to the policy of the Wurtemberg Government with regard to the question of the Succession to the Grand Duchy of Holstein; and I have to observe to you that the Wurtemberg Government will hardly avoid revolutionary movements by the violation of Treaty engagements.

It would be much better to call upon Denmark to fulfil her engagements, than to adopt a course at variance with solemn engagements.

I am, &c.
(Signed) RUSSELL.

No. 335.

Earl Russell to Sir A. Paget.

Sir, *Foreign Office, November* 30, 1863.

I HAVE received your despatch of the 21st instant, forwarding M. Hall's answer to the inquiry which you were instructed to make as to the willingness of Denmark to accept the sole mediation of Her Majesty's Government in her differences with Germany, and I have to instruct you to thank M. Hall for his answer.

Her Majesty's Government have not accepted the invitation of the Emperor of the French to a Congress at Paris.

A meeting of Representatives of the Powers who signed the Treaty of London may, perhaps, be necessary, in order to discuss the grave questions which have arisen out of that Treaty, and the engagements subsisting between Germany and Denmark.

I am, &c.
(Signed) RUSSELL.

No. 336.

Mr. Layard to Sir A. Paget.

Sir, *Foreign Office, November* 30, 1863.

I AM directed by Earl Russell to request that you will ascertain and report how many Schleswig members there are in the Danish Rigsraad, and in what manner their votes were given on the third reading of the new Constitution.

I have, &c.
(Signed) A. H. LAYARD.

No. 337.

Sir A. Paget to Mr. Layard.

(Extract.) *Copenhagen, December* 1, 1863.

I HAVE the honour to report that there are in the present Danish Rigsraad eleven members for Schleswig, of whom seven voted in favour of and four against the third reading of the new Constitution.

No. 338.

Earl Russell to Sir A. Buchanan.

Sir, *Foreign Office, December* 1, 1863.

I HAVE to state to you that the line of policy to be pursued by Her Majesty's Government in the questions at issue between Denmark and Germany is perfectly clear.

That policy is to advise Austria, Prussia, and the other Powers who signed the Treaty of London to adhere to their engagements, and to advise Denmark to observe all the engagements which she has taken to Germany.

Her Majesty's Minister at Copenhagen reports that Holstein is perfectly tranquil, and this statement is confirmed by the language of Count Bluhme and Baron Charles de Plessen.

It appears to Her Majesty's Government that there is some risk in taking measures which might disturb this tranquil state.

I am, &c.
(Signed) RUSSELL.

No. 339.

Earl Russell to Sir H. Howard.

Sir, *Foreign Office, December* 2, 1862.

WITH reference to your despatch of the 23rd ultimo, relative to the question of the Succession to the Duchy of Holstein, I have to state to you that I concur in the views taken by you of the conduct of the Grand Duke of Oldenburg in favouring the pretensions of the Prince of Augustenburg.

Iam, &c.
(Signed) RUSSELL.

No. 340.

Earl Russell to Sir H. Howard.

Sir, *Foreign Office, December* 2, 1863.

I HAVE received your despatch of the 26th ultimo, reporting a conversation with Count Platen on the occasion of your communicating to his Excellency my despatch of the 23rd ultimo, on the subject of the claims of Prince Frederick of Augustenburg to the Succession to the Duchy of Holstein.

Her Majesty's Government recognize in the language of Count Platen the good faith and directness of purpose which they expected to find in the sentiments and conduct of the King of Hanover.

Count Platen may be assured that Her Majesty's Government will do all in their power to induce the King of Denmark to be faithful to his engagements to the German Confederation.

I am, &c.
(Signed) RUSSELL.

No. 341.

Earl Russell to Sir A. Buchanan.

Sir, *Foreign Office, December* 2, 1863.

I HAVE received your Excellency's despatch of the 23rd ultimo, reporting a conversation with M. de Bismarck on the subject of the differences between Denmark and the German Confederation.

The text of the Treaty of London of 1852 is very clear and explicit, and Her Majesty's Government regret that the Prussian Government should see in the violation of her previous engagements by Denmark, any justification for hesitating to fulfil stipulations which to Her Majesty's Government appear binding in honour and good faith.

I am, &c.
(Signed) RUSSELL.

No. 342.

Sir A. Malet to Earl Russell.—(Received December 2.)

My Lord, *Frankfort, November* 30, 1863.

SUBSEQUENTLY to the proceedings of the Diet's sitting of Saturday the 28th instant, ending in the exclusion of the Danish Envoy, by suspending the sitting, as I had the honour of reporting to your Lordship in my despatch of that day's date, the sitting was resumed, and the further propositions of the Saxon Minister were laid before the Diet.

I have not yet seen the precise formula of these two propositions, but their purport is, 1st, to convert the Execution in Holstein and Lauenburg into Occupation during the discussion of the question of Succession; and, 2nd, to augment the force, originally fixed by the Diet at 6,000, which is to be sent into the Duchies

Both propositions were referred to the Joint Commission.

It is proposed, if I am rightly informed, to raise the occupying force to 14,000 men.

The Hesse-Darmstadt Government intimated in the sitting that the whole military contingent of the Grand Duchy, amounting to nearly 12,000 men, should be placed at the Diet's disposal if their services were required.

Austria and Prussia, I learn, made a formal declaration in this sitting with reference to the Treaty of London, to the effect that that Treaty was regarded by them as a complement of negotiations which those two States had carried on with Denmark in that and in the preceding year; and, in fact, that the Treaty was signed by them in full confidence that the promises given by Denmark concerning the Constitutional relations of the Duchies to the Monarchy, and the non-incorporation of Schleswig, would be faithfully fulfilled.

I do not understand that this declaration goes the length of saying that that Treaty was only signed by them contingently upon those conditions, or that Austria and Prussia now claim to be freed from its obligations in consequence of alleged Danish bad faith; but bad faith is openly imputed to the Danish Cabinet, and it is sought to establish connexity

between the previous arrangements made by Denmark with the two great German States acting on behalf of the Diet, and their subsequent participation in the Treaty of London, with a view (as may be apprehended) of pleading that their Federal obligations are to be held as more binding than those to which they engaged themselves by Treaty.

I need scarcely observe to your Lordship that if the Diet accepts the Saxony proposition of occupation or sequestration of the Duchies, of which there seems to be every probability, the *casus belli* will be decided.

The most moderate advocates of the measure say it is better that the Duchies should be occupied by regulars than by volunteers, which would infallibly be attempted if the Diet showed hesitation, or if the Governments betrayed the least wish for delay.

I have, &c.

(Signed) A. MALET.

No. 343.

Sir A. Malet to Earl Russell.—(*Received December* 2.)

(Extract.) *Frankfort, November* 30, 1863.

I SAW the President of the Diet after the sitting of Saturday, and heard all the details of what occurred on this memorable occasion, from his Excellency's own mouth.

M. de Kubeck was at much pains to persuade me that the exclusion of the Danish Envoy was not to be regarded as a measure of personal hostility to King Christian IX, in which light I told his Excellency I thought it must be viewed. He argued that it was not expulsion, but suspension, and only pending the decision of the question of legitimacy; on which I asked, whether justice could be expected from a Tribunal so constituted as was the Committee to which the duty of judging between the conflicting claims of Prince Frederick of Augustenburg and King Christian as Duke of Schleswig-Holstein was referred?

M. de Kubeck also told me of the connexion sought to be established by his own Government and that of Prussia in the matter of the London Treaty, and the negotiations of his Cabinet and that of Berlin with Denmark in 1851-52 as mentioned in my preceding despatch.

Altogether, my Lord, the prospect is as discouraging as possible, for even if at the last moment Denmark makes concessions, I cannot see any room to doubt that the prevailing agitation will compel the Governments to march troops into Holstein, if it is only to avoid letting the volunteers, who are fast forming, take the initiative.

No. 344.

Sir H. Howard to Earl Russell.—(*Received December* 2.)

(Extract.) *Hanover, November* 30, 1863.

PRINCE CHRISTIAN OF AUGUSTENBURG arrived here from Oldenburg in the night of the 27th instant, the bearer of a letter from his brother Prince Frederick to the King of Hanover, praying His Majesty to support his claims to the Duchies of Schleswig and Holstein.

The Prince was received by the King at Herrenhausen on the 28th instant, but did not succeed in the object of his mission. His Majesty, as Count Platen informs me, and as I have likewise learnt from other sources, only replied to him in general terms, saying that the question of the Succession was to be examined by the Diet, and afterwards broke off the conversation.

I take this opportunity of stating that the notification of the accession of Prince Frederick of Augustenburg to the Succession to the Throne of the two Duchies, which I referred to in my despatch of the 23rd instant as having been received by this Court, was a telegraphic despatch addressed to Count Platen by M. Samwer, who styles himself his Highness' Minister for Foreign Affairs, and not a communication from the Prince himself to the King.

The King of Hanover has received, as Count Platen informed me this morning, a Notification from King Christian IX of Denmark of his accession to the Throne. I am in hopes that, as His Hanoverian Majesty, as I have been credibly informed, sent a private telegram to King Christian, conveying his congratulations immediately on his accession, he will not long delay answering His Danish Majesty's official notification.

Your Lordship will be aware that, according to a joint declaration made by Austria and Prussia in the sitting of the Diet of the 28th instant, although they state that they will abide by the Treaty of the 8th of May, 1852, and are ready to carry it out, they nevertheless maintain its close connection with the arrangements of 1851 and 1852, and render their continued adherence to it conditional upon the observance of those agreements by Denmark.

Saxony goes a step further, and appears to consider herself already relieved from the engagements she contracted by her accession to the Treaty, in consequence of Denmark not having fulfilled the agreements of 1851 and 1852.

Baron Konneritz, who was formerly Saxon Chargé d'Affaires here, has now arrived at Hanover, ostensibly for the purpose of ascertaining the position of the Hanoverian Government as regards their accession to the Treaty of 1852, but in reality, I have no doubt, in order to induce their concurrence with the view of the question taken by his own Government, or at least with that of Austria and Prussia as conveyed in the above-named Declaration.

Count Platen, however, told me this morning that he had stated to M. de Konneritz that Hanover had acceded to the Treaty unconditionally and independently of the arrangements of 1851 and 1852, and could not, therefore, now render her continued adherence to it dependent upon their observance.

I did not fail to express to Count Platen the gratification with which I had learnt this declaration of the unconditional adherence of Hanover to the Treaty.

I should remark that the only reserve which Count Platen makes in respect to the Treaty is that to which I referred in my despatch of the 26th instant, and which is the fulfilment by the King of Denmark, stipulated by its IIIrd Article, of his obligations concerning the Duchies of Holstein and Lauenburg, as established by the Federal Act of 1815 and by the existing Federal Law.

Count Platen informed me that the Hanoverian Corps of Execution of 6,000 men would be echeloned on the Hanoverian banks of the Elbe ready to cross it when required. A part of the troops will take up their positions during the course of this week.

I have just learnt that in consequence of the augmentation of the Hanoverian Contingent, it is now to be commanded by Lieutenant-General Gehser, an officer of distinction.

No. 345.

Mr. Murray to Earl Russell.—(*Received December* 2.)

My Lord, *Dresden, November* 30, 1863.

ON Saturday the 28th instant I had another conversation with M. de Beust on the subject of the Schleswig-Holstein Succession, and learned from him that the Saxon Government remains fixed in its resolve to be guided in its action entirely by a consideration of its obligations to the German Confederation.

I have before had occasion to mention to your Lordship that this and other German Governments are, or believe themselves to be, under the necessity of yielding to the pressure exercised upon them by the extraordinary and universal excitement which this question has produced in the population; were it otherwise M. de Beust could hardly argue, as he does, that the Saxon Government is now at liberty to consider the question of Succession an open one, because, in its reply to the invitation sent by the Great Powers who signed the Treaty of 1852, it communicated its assent by using the phrase "déclarer son assentiment," instead of using the more formal expression "adhésion." This distinction could scarcely be maintained in any serious discussion, but the Saxon Minister rests his chief argument on the fact that, in the same despatch, the obligations due to the Diet were specially reserved in the words "sans prétendre anticiper sur les résolutions que la Confédération Germanique, par l'organe de la Diète, pourrait être amenée à prendre dans cette question."

Your Lordship will already have learnt, from the report of the proceedings at the Diet, that the Saxon Government has there expressed its opinion that, in order to prevent all risks of popular outbreak in Holstein, the Federal Execution should be resorted to without delay, and has recommended that the force employed for that purpose should be adequately augmented. There is little doubt but that this recommendation will have been adopted, and Saxony is prepared to send a force of 6,000 men, *i. e.*, twice the number originally fixed upon for this service.

I have, &c.

(Signed) CH. A. MURRAY.

No. 346.

Earl Russell to Lord Napier.

My Lord, *Foreign Office, December* 2, 1863.

BARON BRUNNOW came to see me on the 27th ultimo in reference to the proposal of the Russian Government that Envoys should be sent to Copenhagen to congratulate the King of Denmark on his accession, and at the same time to endeavour to come to some understanding with respect to the complaints of the German Powers that Denmark has not kept her engagements towards Germany.

I stated to Baron Brunnow that Her Majesty's Government would willingly co-operate with the Great Powers in any attempt to preserve the peace of Europe, and in any endeavour to enable Austria and Prussia to adhere firmly to their Treaty engagements. At the same time I observed to Baron Brunnow that the engagements of the Powers who had signed the Treaty of London were totally distinct from the engagements taken by Denmark towards Germany, and by Germany towards Denmark, in 1851-52.

The first-mentioned engagements were consigned in a formal Treaty, viz., the Treaty of the 8th May, 1852. The stipulations were plain and distinct; they bound the signing Powers to acknowledge the Succession of Prince Christian to the sovereignty of all the States then placed under the sceptre of the King of Denmark. The Treaty as plainly bound the King of Denmark to accept Holstein and Lauenburg with all the Federal obligations belonging to them.

The engagements of Germany and Denmark towards each other, in 1851, were on the other hand singularly obscure and indefinite. They were contained neither in a Treaty nor in a Convention, but in notes and despatches exchanged between Denmark on the one side, and Austria and Prussia on the other, to which the two parties assigned a different degree of force and validity.

Some of the Articles agreed upon,—for example, that which bound Denmark to take no step which might tend to incorporate Schleswig with Denmark, and that which promised to Holstein, Lauenburg, and Schleswig, equal weight in the monarchy with Denmark, so that no one part should be subordinate to another,—were susceptible of various interpretations, some of which would be utterly subversive of the free action and independent existence of the Danish Monarchy.

At all events it would not be justifiable for those Powers who were parties to a single Treaty, in itself clear, simple, and explicit, to endeavour to interpret that Treaty by other engagements, less solemn in form and less definite in substance, and neither mentioned nor referred to in such Treaty.

To attempt to explain that which is lucid by a reference to that which is obscure, would be to expose ourselves wantonly to a violation of good faith.

I observed further that the position of Schleswig is totally distinct from that of Holstein. Schleswig forms no part of the German Confederation, and is as regards Germany a foreign country. The Succession to Schleswig, therefore, was regulated by the Treaty of 1852, without any excuse or pretence for a reference of the question of that Succession to the German Diet. I observed further that the Duchy of Schleswig as a whole is estimated to contain in 1860 about 410,000 inhabitants, of whom 147,000 only spoke mainly the German language, while 80,000 spoke German and Danish.

Thus, whatever might be alleged, whether rightly or wrongly, as to Holstein, no doubt could be raised as to the Succession of King Christian to the Duchy of Schleswig.

I said, however, that Her Majesty's Government were willing to make any representations at Copenhagen to induce Denmark to fulfil fairly and honourably the engagements she had undertaken in 1851-52 towards Austria and Prussia, acting in the name of Germany.

I am, &c.
(Signed) RUSSELL.

No. 347.

M. Hall to M. de Bille.—(Communicated to Earl Russell by M. de Bille, December 4.)

Monsieur, *Copenhague, ce* 20 *Novembre,* 1863.

VOUS savez déjà par le télégraphe que le Roi a sanctionné la Loi Fondamentale, et vous recevrez demain copie des rapports que j'ai faits à Sa Majesté relativement à cette mesure. Aujourd'hui je me borne à vous faire quelques observations à l'égard de la position diplomatique créée par la sanction Royale.

Sa Majesté a accepté l'invitation au Congrès, et, de l'aveu de tout le monde, le différend Dano-Allemand est un de ceux qui réclament nécessairement une solution prochaine. Le besoin d'une solution est en effet tellement pressant que si l'idée d'un Congrès ne se réalise pas, une médiation deviendra urgent, surtout si la Diète ne s'arrête pas même devant les décisions du Traité de Londres.

Sa Majesté a donc dû examiner avec la plus grande attention, si des considérations diplomatiques ne devaient pas l'emporter sur les motifs d'un ordre intérieur qui parlaient en faveur d'une sanction immédiate. Le Roi avait d'autant plus de raison de ne se décider qu'après une mûre reflexion que là Prusse et, jusqu'à un certain degré, l'Angleterre lui ont dernièrement exprimé la crainte que la sanction Royale ne fît obstacle à la solution tant désirée du différend. Néanmoins Sa Majesté s'est persuadée que dans la réalité la Loi Fondamentale nouvelle ne changera en aucune manière la position actuelle de la question Holsteinoise, et tout en appréciant l'intérêt sincère qui a fait naître ces appréhensions Sa Majesté doit espérer que les Puissances étrangères apprécieront les motifs qui l'ont guidée et considéreront sans préjugé la nouvelle loi dans son effet sur les points en litige entre nous et l'Allemagne.

Vous savez que la nouvelle Constitution ne touche en rien la position provinciale du Slesvig : ce Duché ne perd en rien l'autonomie relative qui lui a été reconnue. Mais cette nouvelle Constitution pour le Royaume et le Slesvig seuls préjuge-t-elle peut-être le résultat éventuel des délibérations d'un Congrès ou les négociations sous une médiation ? Le Gouvernement du Roi n'a pu se convaincre de la justesse d'une telle objection. Ou la solution sera trouvée dans l'indépendance et l'autonomie du Holstein, et dans ce cas la nouvelle Constitution se trouvera tout-à-fait en accord avec le principe même de cette autonomie ; ou le résultat deviendra le rétablissement d'une Constitution commune embrassant le Holstein. Mais dans cette éventualité, si elle se réalisait, ce que, dans l'état actuel des esprits dans le Holstein, le Gouvernement ne peut regarder comme probable, la Constitution pour le Royaume et le Slesvig devrait sans doute subir des modifications ; et si des changements doivent être faits, il paraît tout-à-fait indifférent qu'ils soient faits dans la Constitution du 18 Novembre ou dans celle du 2 Octobre. Dans tous les deux cas, le consentement du Rigsraad devrait être acquis aux changements nécessaires. Les dispositions où nous sommes relativement à un tel résultat sont déjà suffisamment constatées. Dans les discussions du Rigsraad le Président du Conseil, au nom du Gouvernement, et le rapporteur du Comité au nom de l'Assemblée, ont tous les deux prévus une telle éventualité, et, tous les deux, ils ont exprimé l'opinion que l'adoption de la nouvelle loi ne préjugerait en rien ce résultat. Dans ces circonstances Sa Majesté a cru ne pas devoir arrêter une loi qui avait déjà traversé toutes ses phases et n'attendait encore que la dernière sanction, lorsque des Puissances amies lui ont fait connaître leurs doutes. Je vous prie de porter la résolution du Roi à la connaissance de la Cour auprès de laquelle vous avez l'honneur d'être accrédité, et en même temps d'expliquer au Ministre des Affaires Etrangères les considérations qui ont déterminé Sa Majesté dans cette occasion. Je suis sûr que le Roi, monté sur le Trône dans ces circonstances si critiques, obtiendra un appui sincère de la part du Gouvernement de la Reine.

J'ai, &c.

(Signé) C. HALL.

(Translation.)

Sir, *Copenhagen, November* 20, 1863.

YOU will already have been informed by telegraph that the King has sanctioned the Fundamental Law, and you will receive to-morrow a copy of the reports which I have made to His Majesty relative to this measure. To-day I will confine myself to make some observations to you with respect to the diplomatic position which the Royal assent has established.

His Majesty has accepted the invitation to the Congress, and it is the universal conviction that the Dano-German dispute is one of those which demand a speedy solution. The necessity for a solution is indeed so pressing that if the idea of a Congress be not realized, it will be urgently necessary to resort to mediation ; particularly in the event of the Diet being not even restrained by the decisions of the Treaty of London.

It has been, therefore, Her Majesty's duty to consider with the greatest attention whether diplomatic considerations ought not to be thought of more importance than the desire of internal order which favoured an immediate sanction. It was the more necessary for the King to come to no decision till after mature reflection, since Prussia, and, in a certain degree, England had lately expressed the fear that the Royal sanction would be an obstacle to the so much desired solution of the dispute. Nevertheless, His Majesty is persuaded that the new Fundamental Law will in reality not alter in any way the actual

position of the Holstein question, and while he fully appreciates the sincere interest which has given rise to these fears, His Majesty hopes that foreign Powers will appreciate the motives that have guided him, and will without prejudice consider the new law in its effects upon the points in dispute between us and Germany.

You know that the new Constitution does not in any way affect the provincial position of Schleswig; that Duchy loses in no degree the relative autonomy which has been conceded to it. But does this new Constitution for the kingdom and for Schleswig alone prejudge in any way the eventual result of the deliberations of a Congress, or negotiations in consequence of a mediation? The Government of the King is not convinced of the accuracy of such an objection. The solution will either be found in the autonomy and independence of Holstein, and in that case the new Constitution will be found to be in perfect harmony with the very principle of that autonomy; or the result will be the re-establishment of a common Constitution including Holstein. But in that event, should it occur, and in the present state of opinion in Holstein the Government cannot consider it probable the Constitution for the kingdom and for Schleswig would doubtless have to undergo modifications; and if changes are to be made, it seems very indifferent whether they are made in the Constitution of November 18, or in that of October 2. In either case the consent of the Rigsraad to the necessary modifications must be obtained. Our relative inclinations for such a result are already sufficiently well known. During the debates of the Rigsraad the President of the Council, in the name of the Government, and the Chairman of the Committee, in the name of the Assembly both foresaw such an eventuality, and they both expressed their opinion that the adoption of the new law would not in any way prejudge the result. Under these circumstances His Majesty has thought proper not to stop a law which had already passed through all its phases, and was only awaiting its final sanction, when friendly Powers communicated to him their doubts. I beg of you to inform the Court to which you have the honour to be accredited of the King's resolution, and at the same time to explain to the Minister for Foreign Affairs the considerations which on this occasion have influenced His Majesty's decision. I am sure that the King, who has ascended the throne under such critical circumstances, will receive the sincere support of the Government of the Queen.

I have, &c.
(Signed) C. HALL.

No. 348.

Mr. Jerningham to Earl Russell.—(*Received December* 4.)

(Extract.) *Stockholm, November* 26, 1863.

I HAVE the honour to inclose a translation of a speech delivered by Count Manderström on the 24th instant in the Chamber of Nobles, upon the present position of foreign affairs, especially as to the projected Congress at Paris, and as to the new phase of the Danish question created by the death of King Frederick VII and by the pretensions of the Duke of Augustenburg.

In speaking of the change in the Danish Constitution respecting Schleswig, Count Manderström stated his belief that King Christian IX would have had to leave Denmark had he declined to sanction it.

During the conversation his Excellency took occasion to deny that the so-called engagements of the late King of Denmark to Austria and Prussia regarding Schleswig, which amounted to no more than the expression of intentions, could possibly authorize Germany's present tone of dictatorial intervention relative to that Duchy.

Before we separated, Count Manderström strongly reverted to his apprehension of war in the spring.

Inclosure in No. 348.

Extract from the "Post och Inrikes Tidningar" of November 24, 1863.

COUNT MANDERSTROM'S SPEECH IN THE CHAMBER OF NOBLES.—WE are only able to give incompletely the speech delivered by Count Manderström:—

With reference to the interpellation of M. Brakel in yesterday's plenum, Count Manderström stated that he thought he might defer replying to it until to-day, as no opportunity had offered itself yesterday. His Excellency then spoke as follows:—

"The Swedes are a people prone to the adoption of foreign customs, but who in so doing generally consult their own convenience, and only as regards such matters as they may deem suitable, whence arises an incomplete principle.

"In England it is customary to advise the Minister beforehand as to what the interpellation tends. [The speaker here entered into the reasons for this principle, and said that it would be desirable that the same system should be applied here.]

"As far as I am aware," the speaker goes on to say, "the fundamental laws furnish no grounds for interpellation, but, as regards the foreign policy, they prescribe distinctly the duties of the King's counsellors, which they are bound not to slight.

"For my part, I have ever conceived it to be my duty to give those of the representatives of the nation whom, according to our present Parliamentary system, I may have occasion to address, such explanation as would be compatible with my other duties, and I do not think any one can accuse me of attempting to wander from that course. Unasked-for explanations are oftentimes unwelcome; and to commence speaking solely for the purpose of satisfying the curiosity of this or that Member cannot be regarded as a necessary part of the Minister's duties. The question put yesterday by an honourable Member concerning our foreign policy is one whose birth is of no very recent date; the rumours hinted at by that gentleman have been for months in the mouths of everybody, and have been commented on by the Press in all directions, though I confess that I am not aware of its having hitherto been mooted by any Member of the Estates. Now, however, that silence has been broken, it may perhaps be permitted me to say a few words,—not to render an account, which the present moment does not allow, a circumstance which His Majesty has explained to you in his gracious Message, wherein he said, that owing to pending negotiations and continually changing circumstances he could not make the communication he had desired;—stil I trust to be able in some measure to calm the fears current in this country.

"Before proceeding further, I must beg to call your attention to the different grades of importance given on various occasions to diplomacy. I have often heard it underrated, and spoken of as an unnecessary luxury of State, which, without rendering a proportionate amount of service, costs large sums of money. On other occasions it is not unusual to hear an exaggerated importance attributed to it. Again, it is said that the diplomatist should know, say, and predict everything. If we wish to find its true appreciation, we must, in most cases, look for it between these two extremes. The diplomatist is neither prophet nor soothsayer; his profession limits him to the careful study of passing events, and to judge of the future by his experience of the past. It is a calculation of probabilities, which any intelligent citizen possessing common sense and ordinary abilities can accomplish.

"The diplomatist has, however, the advantage of being nearer to the source of the information he seeks, and to have better opportunities for sifting it; it is his duty to watch attentively, and never lose hold of Ariadne's thread which has been placed in his hand, and without which he would easily lose his way in an unknown labyrinth.

"The diplomatist is often blamed for acting with too much prudence, although it is frequently forgotten that such a line of conduct does not preclude firmness on his part, and that the latter is often the offspring of the former. Sometimes he is found fault with in exactly a contrary sense. He is said to have acted with too little forethought and an undue amount of precipitation; but then again it is equally forgotten that boldness arises at times from prudence, and that a well-chosen moment for a bold act is often fostered by mature and foreseeing prudence.

"After these general reflections, which are perhaps not applicable to the question at issue, I pass on to the subject of the interpellation, namely, the present bearing of our policy. I am sorry, Gentlemen, if I cannot lift the veil from the hidden statue as some of you have desired, and I beg to recall to your memory what a great poet said as to the consequences of searching after and discovering truth—Where is it, and what is it? that is the question.

"The general policy of Europe is so fraught with uncertainty, intricacies, and conflicting interests in every direction, that I venture to say there is no statesman at this moment capable of rendering a faithful and complete picture of it. Least of all can this be expected in a country which, by its position, its power, comparatively of so little importance, and its systematic alienation from questions unconcerned with its own immediate interests, cannot be supposed to influence it. The position of affairs, Gentlemen, is such that every word uttered—more especially by one of the King's responsible advisers—may tend, I will not say to danger, but to ill consequences which may easily become so. This state of affairs, which, if well considered, cannot be refuted, appears to prescribe for all of us the utmost caution as to what we say.

"A phase of very great importance in the present political state of affairs which, Gentlemen, cannot be unknown to any of you, is the invitation which His Majesty the Emperor of the French has addressed to the Crowned heads of Europe, and to the Confederation of

Germany and Switzerland, on the 4th instant. This remarkable document has appeared in the newspapers of every country, and it would be superfluous in an Assembly like this to repeat its contents so well worthy of consideration.

"This letter was delivered to His Majesty on the 14th instant, and the reply to it left this capital on the morning of the day following, and ought therefore already to have arrived at Paris. I have requested the King, and have received His Majesty's permission, to communicate the same to the Estates. Its contents are as follows :—

"'Sir, my good Brother and Cousin,

"'The letter which your Imperial Majesty was pleased to address me on the 4th instant has been duly delivered to me by your Majesty's Envoy.

"'I deem it to be my duty to reply without delay to your Majesty's proposal to take part in a Congress which your Majesty has proposed should assemble at Paris, the object of which would be to insure the basis upon which rests the general peace of Europe.

"'Everything that can further the attainment of so desirable an object cannot but meet with my approval, and I therefore, without delay, communicate to you my acceptance of your Majesty's invitation; and that if the assistance of the rest of the European Powers can be gained for this Congress, I shall certainly not absent myself from it. I cannot hesitate to unite myself to your Majesty's noble views, since at such a Congress the United Kingdoms, who, having neither anything to gain nor to fear, would not be biassed by any private interests, but would, with perfect impartiality, confine themselves to judging of the surest means for securing the general welfare of Europe,—that, on grounds supported and maintained by justice, to form a basis on which to preserve the maintenance of peace, and to settle disputes which from more than one quarter have made themselves heard, avoiding the infringement of legitimate rights, sustained by the thorough fulfilment of all the duties flowing from them.

"'If such an object could be attained by means of a general Conference, your Majesty will have secured to yourself immortal honour by having taken the initiative in a work which would call down blessings both upon the Sovereigns and their subjects.

"'I should consider myself fortunate should circumstances permit of my uniting my endeavours with the rest of the European Sovereigns for the completion of so useful an object, more especially as I should then have an opportunity personally to renew the assurances of the distinguished consideration and the unalterable friendship with which I remain, &c.

(Signed) "'CHARLES.'

"Such, then, is the position of the country relative to this the most important question of European politics. What its final solution may be, it is not for me to decide or predict. Up to this moment I am not sufficiently acquainted with the replies of the other Powers to the Emperor's invitation to permit of my discussing them here. What has been stated in the newspapers regarding them may, on the whole, be considered reliable; but even according to those statements it is not easy to predict whether or no the Congress will meet.

"For my own part, I should deem it a misfortune for Europe were this noble attempt to smooth the difficulties so widely spread throughout Europe, and which in many cases assume a most threatening aspect, not to bear the fruits so justly to be anticipated; and it would appear to me so much the more to be regretted, since it might extinguish the hope of solving in a peaceful manner, among other questions, one of a most serious character, which is nearly related to us, and to which I beg to be allowed to proceed.

"I need not tell you, gentlemen, that I allude to the so-called Danish question. It is known to each and all of you that this question has, during the past week, assumed quite a new character; the events which have happened during the last few days, or at all events the most important phases in them, cannot be unknown to you.

"The severe and heartfelt loss sustained by Denmark in the unexpected demise of a much beloved King, so well deserving their affection, has thrown the Danish nation into a state of profound grief. The mournful event has opened a new volume of the history of Denmark. The noble line, prolific in great Kings, which for 400 years have occupied the Danish Throne is now extinct. This had long been foreseen, but the realization of the misfortune has come upon them unexpectedly, and has been met by bitter sorrow on the part of the Danes.

"The fate of Denmark has for some time occupied the thoughts of Europe. The disturbances which might arise, more especially in a country composed of conflicting elements, were the Succession not arranged beforehand, had caused the European Powers to take this question into consideration, and after long deliberations a Conference was held n London the 2nd of May, 1852, between Denmark, on the one side, and the United

Kingdoms, England, France, Prussia, Russia, and Austria, on the other, calculated to secure the independence and integrity of the Danish Monarchy, and by which Prince Christian of Holstein-Glücksburg was declared the successor to the Danish Throne and all the territories belonging thereto. This solemn transaction has become part of the public law of Europe, and its validity is unquestionable; wherefore His Majesty at once decided on sending an extraordinary Mission to Denmark, to condole with the country on the loss of a beloved Sovereign, and to assure them of his sincere participation in their sorrow, and of his own grief in losing so tried and faithful a friend, and at the same time to convey his congratulations to King Christian IX on his accession to the Danish Throne. This has been responded to by an extraordinary Mission from Denmark, which is now on its way here.

"The policy which the United Kingdoms have followed with reference to Denmark embraces nothing which we desire to conceal or to deny. It is open to all who wish to become acquainted with it. It has, at least during the six years that I have conducted the foreign affairs, always been the same without changing or swerving. We have ever declared that the Federal quarrels in which Denmark has been engaged with Germany, relative to the German Duchies, neither permitted or demanded our interference; but at the same time we have made known our determination never to regard with indifference an invasion of the other parts of the Danish Monarchy.

"The justness of the reasons on which this decision was based will now appear. A partition of the Danish Kingdom is now proposed by a Pretender who is not without support. The powerful advocates which his cause demands have, however, not yet been found; and I venture to affirm that such will continue to be the case. Nevertheless, the torch of the incendiary has been lit in the North, the reflection of whose light may, perhaps, even reach our coasts.

"Under such circumstances, we ought, and indeed we must, consider the state of our national defences.

"As to how far a war which seems possible may extend itself, no one can, with any degree of certainty, affirm. But thus far it is certain, that the duty of one and all of us is to think of his own hearth, and it is to this end that His Majesty's gracious proposition tends.

"It is, perhaps, expected that I should here enter into the negotiations which, according to what has generally been said, have been for the last few months pending between ourselves and Denmark. That such has been the case may be gathered from what His Majesty mentioned in the Message to which I have referred. That their tenor agrees with what I have stated above cannot be doubted. They have been conducted in concert with the more powerful States with which we are united by bonds of friendship, and, as such negotiations are still pending, no one will expect me to render any explanation on this point. The exaggerated reports which have been circulated cannot be imputed to His Majesty's Government; and that they have not been refuted—a generally speaking unthankful office, so long as one is unable to place all the circumstances before the public—may possibly have arisen from the hope that these very exaggerations might be serviceable to Denmark.

"The present aspect of affairs is, however, very different, and may, perhaps, demand another course. We see with sorrow a nation towards whom we are far from entertaining any feelings of dislike, but, on the contrary, with whom we would gladly retain the hitherto existing friendly relations, preparing to attack a people considerably weaker than themselves, with whom we are nearly related. Alone we are not able to become its champion, and we must hope that Europe will not permit such a crying act of injustice to be enacted.

"In the meantime, His Majesty's Government reserve to themselves the right of adopting such measures as circumstances may require, wherein the true welfare of the United Kingdoms is concerned. The interests of these Kingdoms are watched over in Copenhagen by a person possessing and deserving the complete confidence of His Majesty.

"I have now nothing further to add, and, if what I have already said be deemed insufficiently clear, let the cause be looked for in the general position of affairs, which, perhaps, I have far from correctly defined, and in my incapacity to state in plainer terms what I have considered myself capable of expressing on this occasion."

No. 349.

Sir A. Paget to Earl Russell.—(*Received December* 4.)

My Lord, *Copenhagen, November* 30, 1863.

I HAVE the honour to acknowledge the recipt of your Lordship's despatch of the 23rd instant, stating, with reference to the claims of Prince Frederick of Augustenburg to the Succession to the Duchies of Schleswig and Holstein which have been brought before the Diet, that Her Majesty's Government think it right that I should be informed, without loss of time, that Her Majesty's Government consider that they have no other course to pursue than to observe faithfully the engagements which Her Majesty contracted by the Treaty of the 8th of May, 1852, and by which Her Majesty engaged, in common with the other signing parties to that Treaty to acknowledge, in the contingency therein specified, his Highness the Prince Christian of Schleswig-Holsiein-Sonderburg-Glucksburg, and his issue male in the direct line by his marriage with the Princess Louisa of Hesse, the right of succeeding to the whole of the dominions then united under the sceptre of His Majesty the King of Denmark.

I read this despatch to M. Hall in an interview I had with him the day before yesterday, and his Excellency requested that I would convey to your Lordship the thanks of the Danish Government for this communication.

I have, &c.

(Signed) A. PAGET.

No. 350.

Sir H. Howard to Earl Russell.—(*Received December* 4.)

(Extract.) *Hanover, Decemver* 1, 1863.

COUNT PLATEN stated to me yesterday that the Hanoverian Government agreed with the view of Austria and Prussia that the Succession to the Duchy of Lauenburg belonged to King Christian IX of Denmark, independently of the Treaty of May 8, 1852.

On my inquiring of his Excellency how he reconciled this view of the case with the vote which Hanover had given at the Diet on the 28th ultimo against the Austro-Prussian proposal to admit the Danish Envoy as Representative of the King-Duke of Lauenburg, his Excellency replied that his explanation was that he did not consider the admission of a member with a quarter or half vote to be expedient, and he reminded me that he had always told me Hanover would vote for the suspension of the vote of the Danish Envoy until the question of the Succession had been examined by the Diet.

Several German newspapers, and among them the Berlin "Kreuz Zeitung," having accused the Hanoverian Government of wishing to withhold their participation in the Federal Execution, and to confine themselves to the inactive position of furnishing a reserve, the "Hanoverian Gazette," of yesterday evening devoted a long semi-official article to controverting this accusation.

The Resolution of the Diet provided, as this article explains, that the Civil Commissioners should be attended by a corps of 6,000 men, to be composed in the manner to be agreed upon by Saxony and Hanover, and that Austria and Prussia should at the same time hold in readiness a superior force for the immediate assistance of this corps in case of forcible resistance to the Execution. It was evident that in such a case a corps of only 6,000 men would be sacrificed unless further forces were at hand to support it. There was, therefore, full justification for the wish expressed that, on the entrance into the Duchies of the corps of Execution, Prussian and Austrian troops should be held in readiness on the frontier, but this wish was not responded to, and the answer to an inquiry made was that fourteen days would be required for Prussian troops to come to the assistance of the Corps of Execution.

Under these circumstances Saxony and Hanover asked permission to call out their own reserves belonging to the corps of Execution simultaneously with its entrance into the Duchies, and to post them in cantonments in the Federal territory bordering on the latter, on the right bank of the Elbe. Six thousand men were considered to be the minimum of which the joint reserve should be composed.

The Saxon Government being desirous not to divide their troops, proposed to Hanover that Saxony should furnish the whole of the corps of 6,000 men which was destined to be the first to enter the Duchies, and that Hanover should undertake to furnish the first equally strong corps of reserve, and this proposal was agreed to by Hanover on the condi-

tion that the whole corps of 12,000 men, united in a division, should bear the character of immediate troops of Execution. It was, therefore, inexplicable how Hanover could be accused of dilatoriness in the performance of her Federal obligations. The whole Hanoverian corps of 6,000 men would be at the disposal of the Confederation in a few days on the Elbe.

No blame could attach to Hanover on account of the delay in the Federal Execution. The fault must rather be laid at the door of those Governments who, notwithstanding the Federal Resolution concerning the immediate support of the corps of Execution, had not been willing to place their troops on the frontier.

The article concludes by giving the "Kreuz Zeitung" the advice not, by hostile criticisms on the manner in which Hanover performs her Federal duties, to provoke a closer examination of the circumstances of the case at a moment when it is so important that Germany should place the fullest confidence in the unreserved German feeling of its Great Powers.

No. 351.

Sir H. Howard to Earl Russell.—(*Received December* 4.)

(Extract.) *Hanover, December* 1, 1863.

I PROCEEDED to Brunswick on the 29th ultimo, and had an interview with M. de Campe, the Minister for Foreign Affairs, to whom I communicated the fact of your Lordship having acquainted me that Her Majesty's Government intend faithfully to observe the engagements they have contracted by the Treaty of the 8th of May, 1852, regulating the Succession of the whole Danish Monarchy, and to whom I represented in the strongest terms the dangers which would result to the peace of Europe were the German Diet, by recognizing the pretensions of Prince Frederick of Augustenburg, to attempt to interfere with the arrangements made by that European Act to which so many of the Powers of Germany were either signing or acceding parties. After explaining to his Excellency the whole state of the case, with which he seemed but little acquainted, and referring to the guarantees which had been given to Denmark for the possession of Schleswig by several European Powers, independently of the acknowledgment contained in the Treaty of 1852, I expressed to him my hope that the vote of Brunswick at the Diet would be given in favour of the most moderate course which might be proposed for upholding the demands, as based upon Federal law, of the Confederation upon Denmark in respect to the German Duchies of Holstein and Lauenburg, and, moreover, in favour of the recognition of King Christian IX as Sovereign of the whole Danish Monarchy, including the Duchies of Schleswig, Holstein, and Lauenburg.

I learnt, however, with much regret, that instructions had already been sent to the Brunswick Envoy at Frankfort to vote in favour of the Resolution proposed by Saxony, and of the recognition of the claims of the Prince of Augustenburg to the Succession in Schleswig and Holstein.

It is to be regretted that the accession of Brunswick to the Treaty of 1852 was not applied for.

I expressed this regret to the Duke, saying that I was sure that if he had acceded to it he would have kept his word, and abided by it. His Royal Highness replied that he would certainly have done so, but that, not being in any way bound, he had followed the course recommended to him by his Government as being in conformity with the feeling in his own country.

I trust, however, that the representations which I have made to the Brunswick Government may not be altogether lost upon them.

The Duke informed me that he had received a letter from King Christian, announcing his accession to the Throne, and another from the Prince of Augustenburg, announcing his accession as Duke of Schleswig-Holstein, and that he did not intend to reply to either.

No. 352.

Sir A. Malet to Earl Russell.—(*Received December* 4.)

My Lord, *Frankfort, December* 1, 1863.

I HAVE the honour to inclose a summary taken from the "Europe," of what passed in the sitting of the Diet on Saturday last, the 28th November, after the withdrawal of the Danish Envoy.

I also annex a translation, taken from the same paper, of the propositions made by the Saxon Minister.

I have now before me the text of the Declaration made by Austria and Prussia concerning the London Treaty, to which I alluded in my despatch of yesterday's date. It is to the following effect:—

"The position of the Austian and Prussian Governments is subject to the obligations which both Governments contracted in common with France, Great Britain, and Russia and Sweden, by the Treaty concluded with Denmark on the 8th of May, 1852, in London, after preliminary arrangements with Denmark had been established in the course of the years 1851-52.

"Both the high Governments regard the entirety of these negotiations as an inseparable whole, of which the London Treaty was the completion.

"Since the event which that Treaty had in view is come to pass, both the high Governments are ready to execute the Treaty if the Danish Crown on its part carries out the antecedent covenants, the realization of which forms for Austria and Prussia a preliminary to their signature of the London Treaty.

"The Succession in Lauenburg falls, in the opinion of both the high Governments, to King Christian IX, even if the London Treaty is abrogated, as Prince Frederick of Hesse, next legitimate heir of Frederick VII, resigned his rights in favour of King Christian IX.

"The admission, therefore, of an Envoy from the King of Denmark for Lauenburg appears to be an incontestable right, in such degree as representatives of single divisions of curiæ entitled to a vote are by right admissible to take part in sittings.

"But for admission of the united curial vote vested in Holstein and Lauenburg the two high Governments (Austria and Prussia) can only then vote, when King Christian IX fulfils those engagements in reliance on which they undertook the obligations of the London Treaty, which, as far as both States are concerned, establishes the King's right of Succession in Holstein."

That is to say, they will not acknowledge King Christian IX as Duke of Holstein if in their opinion anything of that which was promised by King Frederick VII in 1851-52 is left unfulfilled.

I have embodied the translation in this despatch, but beg also to inclose an official copy, that your Lordship may weigh the precise terms in which Austria and Prussia have seen fit to record the plea on which it would appear they mean to rest their non-observance of the London Treaty.

I have, &c.
(Signed) A. MALET.

Inclosure 1 in No. 352.

Extract from the "Europe" of December 1, 1863.

DANS la séance du 28 Novembre de la Diète Germanique, après que M. Dirckink de Holmfeld eut été exclu de la haute Assemblée par une Résolution Fédérale, le Saxe a présenté une motion tendant à l'exécution renforcée de l'occupation militaire dans les Duchés et s'est déclarée prête à mettre sur pied 12,000 hommes.

Le Grand Duché de Hesse s'est offert à mettre, au besoin, tout son contingent à la disposition de la Confédération, et a demandé qu'on sauvegardât tous les droits qui reviennent à la Confédération; le même Etat a aussi proposé d'inviter le Danemark à évacuer les Duchés Allemands et à mettre à la disposition de l'Allemagne les soldats appartenant aux Duchés.

Le Comité pour la question du vote du Holstein a demandé à l'unanimité que ce vote fût suspendu jusqu'à ce que la Confédération eût résolu la question de la Souveraineté légitime.

L'Autriche et la Prusse, par contre, ont déclaré en commun qu'elles s'en tiendraient au Protocole de Londres et qu'elles étaient prêtes à l'exécuter, tout en l'envisageant cependant comme un tout inséparable des négociations et promesses précédentes du Danemark; elles se sont prononcées en même temps en faveur du droit de Succession du Danemark dans le Lauenbourg.

Le Brunswick a déclaré reconnaître sans réserve le Duc d'Augustenbourg comme Duc de Slesvig-Holstein.

(Translation.)

IN the sitting of the German Diet of the 28th of November after M. Dirchinck de Holmfeldt had been excluded from the High Assembly by a Federal Resolution, Saxony

presented a motion tending to Execution enforced by military occupation in the Duchies and declared herself ready to bring into the field 12,000 men.

The Grand Duchy of Hesse offered to place in case of need the whole of its contingent at the disposal of the Confederation, and demanded that all the reversionary rights of the Confederation should be protected; the same State also proposed to invite Denmark to evacuate the German Duchies and to place at the disposal of Germany the soldiers belonging to the Duchies.

The Committee on the question of the vote of Holstein unanimously demanded that this vote should be suspended until the Confederation had determined the question of the legitimate sovereignty. Austria and Prussia, on the other hand, declared in common that they would adhere to the Protocol of London and that they were ready to carry it out, regarding it nevertheless as an inseparable whole connected with all the preceding negotiations and promises of Denmark. They also pronounced at the same time in favour of the right of Denmark to the Succession in Lauenbuurg.

Brunswick declared her recognition without reserve of the Duke of Augustenburg as Duke of Schleswig-Holstein.

Inclosure 2 in No. 352.

Extract from the "Europe" of December 1, 1863.

LA motion que l'Envoyé du Royaume de Saxe a présentée dans la séance du 28 Novembre de la Diète Germanique, porte:—

"Considérant que l'Exécution Fédérale éventuelle dans le Holstein, arrêtée du vivant de feu Sa Majesté le Roi Frédéric VII de Danemark, Duc de Holstein-Lauenbourg, a passé par toutes les phases préparatoires, en sorte qu'il n'est plus besoin que d'une Résolution Fédérale pour appliquer les mesures nécessaires en vue de cette Exécution.

"Considérant qu'en attendant, par suite de la mort de Sa Majesté le Roi Frédéric de Danemark, une question litigieuse est déférée à l'examen de la Confédération Germanique, relativement à l'ordre de Succession dans les Duchés de Holstein et de Lauenbourg, puisque, conformément à l'ordre de Succession établi par le Traité de Londres du 8 Mai, 1852, pour l'ensemble des pays qui, à cette époque, formaient la Monarchie Danoise, le Prince Chrétien de Slesvig-Holstein-Glücksburg est monté sur le Trône de Danemark et que, d'autre part, un agnat a élevé des prétentions à la Succession dans les Duchés de Slesvig et de Holstein;

"Considérant en outre que la Confédération n'a point adhéré dans le temps au Traité susdit daté de Londres, 8 Mai, 1852, et qu'elle est appelée à prendre des résolutions sur les prétentions légitimes du dit agnat;

"Que, dans circonstance, la dignité et la considération de la Confédération Germanique exigent d'assurer la validité entière des résolutions à prendre;

"Nous invitons la haute Assemblée Fédérale à decider:

"Jusqu'au règlement de la question, règlement qu'il importe de faciliter le plus possible, la participation d'un Envoyé de Sa Majesté le Roi de Danemark aux délibérations de la Diète Germanique est à considérer comme inopportune, et il convient aussi de renoncer à l'acceptation des lettres de créance d'un Envoyé Royal Danois comme membre de la Diète Germanique.

"Il faut prendre immédiatement les mesures nécessaires pour que le corps d'Exécution destiné à occuper le Holstein entre dans les Duchés de Holstein et de Lauenbourg avec les renforts devenus nécessaires en suite des circonstances, et cela dans le but de prendre possession de ces pays faisant partie de la Confédération jusqu'au moment où la Diète Germanique se verra en état de confier l'administration des dits Duchés au Souverain dont elle aura reconnu les droits légitimes."

(Translation.)

THE Motion which the Envoy of the Kingdom of Saxony presented in the sitting of the 28th of November of the German Diet, declares:—

"Considering that the eventual Federal Execution in Holstein, decreed in the lifetime of His late Majesty King Frederick VII of Denmark, Duke of Holstein-Lauenburg, has passed through all the preparatory phases, so that a Federal Resolution is all that is required to carry out the measures necessary for this Execution;

"Considering that, in the mean time, by reason of the death of His Majesty King Frederick of Denmark, a question of Law is referred to the examination of the German Confederation respecting the Order of Succession in the Duchies of Holstein and

Lauenburg; since in conformity with the Order of Succession established by the Treaty of London of the 8th of May, 1852, for all the countries which at that time formed the Danish Monarchy, Prince Christian of Schleswig-Holstein-Glücksburg has ascended the Throne of Denmark, and that, on the other hand, an Agnate has raised pretensions to the Succession in the Duchies of Schleswig and of Holstein;

"Considering, moreover, that the Confederation never adhered at that time to the above-mentioned Treaty of London, dated 8th May, 1852, and that it is called to decide upon the legitimacy of the pretensions of the said Agnate;

"That, in these circumstances, the dignity and consideration of the German Confederation require to be assured of the entire validity of the resolution to be taken;

"We invite the High Federal Assembly to decide that until the settlement of the question—a settlement which it is important to hasten as much as possible—the participation by an Envoy of His Majesty the King of Denmark in the deliberations of the German Diet is to be considered as inopportune, and it is right to reject the letters of credence of a Royal Danish Envoy as a Member of the German Diet.

"It is needful immediately to take the necessary measures, in order that the Corps of Execution destined to occupy Holstein, may enter the Duchies of Holstein and of Lauenburg with the reinforcements which have become necessary in consequence of circumstances. And that with the view of taking possession of countries forming a part of the Confederation until the Diet should see itself in a position to confide the Administration of the said Duchies to the Sovereign the legitimacy of whose rights it shall have recognized."

No. 353.

Sir A. Malet to Earl Russell.—(*Received December* 4.)

My Lord, *Frankfort, December* 1, 1863.

THE Danish Minister has sent in to the President of the Diet, in writing, the protests against their proceedings which he was prevented from making by his exclusion from the Diet's sitting on the 28th ultimo.

His Excellency entered a protest against his not having been allowed to speak in the Assembly, and also against the conclusions of the Report of the Committee, which recommended the suspension of his vote, and which were adopted by the Assembly after the withdrawal of M. de Dirchinck.

M. Mohl has, as I am informed, sent to Baron Dirchinck a letter for M. Hall, Danish Minister for Foreign Affairs, from M. Samwer, as Minister for Prince Frederick of Augustenburg, which summons the Danish Government in Prince Frederick's name, as Duke of Schleswig-Holstein, to withdraw the Danish troops from the Duchies, and to replace them by the National troops.

This letter was accompanied by an official copy, and is evidently intended for publication, and as a means of adding to the existing excitement.

Baron de Dirchinck returned the letter to M. Mohl under cover, but without acknowledgment.

I have, &c.
(Signed) A. MALET.

No. 354.

Mr. Jerningham to Earl Russell.—(*Received December* 5.)

My Lord, *Stockholm, November* 27, 1863.

I HAVE the honour to inform your Lordship that General Blücher arrived here last night from Copenhagen to announce the decease of King Frederick VII, and the accession of King Christian IX, and that he had an audience of His Swedish Majesty to-day.

I have, &c.
(Signed) G. S. S. JERNINGHAM.

No. 355.

M. Hall to M. de Bille.—(*Communicated to Earl Russell by M. de Bille, December* 5.)

Monsieur, *Copenhague, le* 30 *Novembre*, 1863.

JE vous transmets sous ce pli le rapport de M. le Baron de Dirchinck en date du 28 du courant, par lequel vous verrez que la Diète de Francfort a exclu le Ministre du Roi de l'Assemblée.

Je ne m'arrêterai pas à examiner si la Diète a respecté les convenances par la forme qu'il lui a plu de donner à cette exclusion, et je ne releverai pas ici le point essentiel, il est vrai, de l'absence de tout droit pour la Confédération de se poser en juge de la validité d'un acte auquel l'Europe entière a concouru. Je m'en tiendrai à la réalité, et je ne l'envisagerai que sous le point de vue où la Diète a voulu se placer. Cette Assemblée a renvoyé la question de la Succession à ses Comités, mais en attendant qu'elle prenne une décision, elle devrait en tous cas s'abstenir de préjuger le résultat et maintenir provisoirement le *status quo*.

Or voici quel est le *status quo*. Le Roi notre auguste Souverain est de fait en possession du Gouvernement des Duchés de Holstein et de Lauenbourg. Il est seul en position de pouvoir y donner suite aux Arrêtés de la Diète. Enfin d'après les Actes Fédéraux, la dixième voix du Conseil restreint appartient au Danemark pour le Holstein et le Lauenbourg, et jusqu à ce qu'un changement ait été fait à cet égard dans les Actes Fédéraux, c'est le Souverain du Danemark qui de plein droit porte cette voix.

Voilà le *status quo* que la Diète, même à son point de vue, doit respecter, si elle ne veut pas ouvertement violer les droits du Roi notre auguste Souverain en faveur du prétendant illégitime.

La Diète a méconnu ces principes incontestables du droit public. Elle a déjà exclu M. de Dirchinck de l'Assemblée. Le second pas dans la même voie serait l'occupation des Duchés Fédéraux et leur soustraction immédiate au pouvoir du Roi.

Je n'ai pas besoin, Monsieur, de vous expliquer quelle ligne de conduite Sa Majesté tiendrait dans une pareille éventualité. Vous verrez que le Baron de Dirchinck, conformément à ses instructions, a protesté contre son exclusion, et vous remarquerez surtout le passage final de sa note où il rend la Diète responsable des démarches que le Roi se trouverait dans le cas de prendre par suite de l'attitude de la Diète.

Le caractère de ces démarches est indiqué dans la nature même des choses. La tentative d'occuper les Duchés sous quelque dénomination qu'elle affecte de se présenter, ne saurait, dans les circonstances actuelles, être envisagée autrement que comme un acte international, et le Roi notre auguste Souverain ne ferait assurément qu'agir en parfaite conformité de son droit, s'il prenait le parti de se dédire d'une Confédération qui, en excluant son Ministre des délibérations, a agi au mépris de l'Acte même auquel il avait accédé en devenant Membre de la Confédération.

Veuillez, Monsieur, donner lecture de la présente dépêche à Lord Russell et lui en laisser copie.

J'ai, &c.

(Signé) C. HALL.

(Translation.)

Sir, *Copenhagen, November* 30, 1863.

I INCLOSE to you herewith the report of Baron de Dirchinck, dated the 28th of this month, by which you will see that the Diet of Frankfort has excluded from the Assembly the Minister of the King.

I will not stop to examine whether the Diet has observed the rules of propriety in the form which it has been pleased to give to that exclusion, nor will I raise here the most essential question in truth, viz., that the Confederation is devoid of all right to set itself up as a judge of the validity of an act in which all Europe took a part. I will confine myself to facts, and I will only look at them in the light which the Diet has adopted. That Assembly has referred the question of the Succession to its Committees, but, until a decision shall have been come to, it ought in any case to have abstained from prejudging the question, and provisionally to have maintained the *status quo*.

Now the *status quo* is as follows:—The King our august Sovereign is *de facto* in possession of the Government of the Duchies of Holstein and Lauenburg. He alone is in a position to give effect to the decrees of the Diet there. Moreover, according to the Federal acts, the tenth vote in the inner Council belongs to Denmark for Holstein and Lauenburg, and until a change shall have been made on this subject in the Federal Acts, the Sovereign of Denmark has a full right to that vote.

Such is the *status quo*, which the Diet ought to respect, even from its own point of view, unless it intends openly to violate the rights of the King our august Sovereign, in favour of an illegitimate Pretender.

The Diet has disregarded these incontestable principles of public law. It has already excluded M. de Dirchinck from the Assembly. The second step in this direction might be the occupation of the Federal Duchies, and their immediate withdrawal from the power of the King.

I have no need, Sir, to explain to you the line of conduct which in such an eventuality His Majesty will pursue. You will see that Baron de Dirchinck, in conformity with his instructions, has protested against his exclusion, and you will especially observe the concluding passage of his note where he declares the Diet responsible for any steps which the King may have to take in consequence of the Diet's attitude.

The very nature of affairs indicates the character of these steps. The attempt to occupy the Duchies, whatever denomination may be given to it, could not, in the present circumstances, be otherwise regarded than as an international act, and the King our august Sovereign would assuredly be only acting in strict conformity with his rights were he to decide upon seceding from a Confederation which, by excluding his Minister from the deliberations, has acted in defiance of the very Act to which he acceded by becoming a member of the Confederation.

Be so good as to read and give a copy of this despatch to Lord Russell.

I have, &c.

(Signed) C. HALL.

Inclosure in No. 355.

Baron Dirchinck-Holmfeldt to M. Hall.

(Translation.) *Frankfort, November* 28, 1863.

I HASTEN briefly to inform your Excellency that, on my protesting at the sitting of the Diet to-day against my credentials not being at once recognized, but being referred instead to the Committees, I was interrupted from different sides; that the Plenipotentiary of Saxony thereupon moved that the Protocol of the sitting should be closed for me. Although Austria and Prussia voted for a somewhat milder proceeding, to which some of the other Plenipotentiaries assented, the motion of Saxony was nevertheless finally adopted by all the Plenipotentiaries, with the only exception of the Representative of the Netherlands.

I protested against it in the most emphatic manner, but was interrupted from all sides. The President declared that he could not any more allow me to speak, and adjourned the sitting, whereupon I left. The sitting was in all probability shortly afterwards resumed, and the orders of the day proceeded with, to wit:—

1. Motion of the Kingdom of Saxony in regard to the non-admission of a Plenipotentiary of His Majesty the King of Denmark to the Diet; and in respect to the Corps of Execution troops for Holstein.

2. Motion of the Grand Duchy of Hesse in regard to the carrying out of the measures already conditionally decreed for the event of an Execution in the Holstein-Lauenburg Constitutional question.

3. Motion to suspend the vote of Holstein in the Federal Diet.

I presume that the first two motions will be referred to the Committee. The last motion will no doubt be at once adopted, and as, if this happens, I shall receive a notification of it from the President, I propose to reply by a protest, in accordance with the following declaration, which I intended to have handed to the President on the vote being taken on this motion, if my exclusion had not prevented my doing so:—

"The Plenipotentiary protests, in the name of his august Sovereign, against the suspension of his Sovereign's vote in the Diet, of which the consequence would be, that any Resolution taken by the Diet in the absence of His Majesty's Representative would cease to be binding on His Majesty.

"Should the Federal Diet adopt and adhere to such a course, the Plenipotentiary is expressly directed to render the Federal Diet responsible for all those steps which His Majesty may; in consequence of such a proceeding of the Diet, find himself called upon to take.

"The Plenipotentiary refers for the rest to his former declarations and protests, and reserves for his Government to make any ulterior declarations that might become necessary."

I am glad that I sent into the Committees the declaration which I sent your Excellency yesterday, as I should not to-day have obtained permission to submit it to the Assembly.

Awaiting your Excellency's further instructions, I have, &c.

(Signed) DIRCHINCK-HOLMFELDT.

No. 356.

Consul-General Crowe to Earl Russell.—(Received December 5.)

(Extract.) *Leipzig, December 1, 1863.*

THIS day the Diet has met for the purpose of receiving the Resolutions of the Committee, of which M. von der Pfordten is Chairman. The question to be decided is whether:—

1. The Federal Execution shall be instantly ordered.

2. The Duchy of Holstein shall be occupied as pledge for the fulfilment of the promises made by the late King of Denmark.

3. Whether a middle course cannot be devised by which the Duchy can be held without declaring an Execution, and without asserting the right to hold in pledge.

Either of the two first propositions would suit the present Governments of Austria and Prussia, both of which are averse to the recognition of the Duke of Augustenburg, and desire an occupation of Holstein for the sake of arresting the popular movement there.

The third course is that which M. von der Pfordten will propose, that is, he will suggest a resolution by which the Duchy of Holstein shall be occupied pending the question of right as to the Succession. Should this be carried, which probably cannot be known for a week, public opinion in Germany will be partially contented, and will then press for the recognition of the Duke of Augustenburg with renewed ardour. Should it not be carried, your Lordship may expect ere long popular movements of an unmistakeable character.

In any case, I am able to inform your Lordship that energetic efforts are made to create a national Schleswig-Holstein army. Officers have been enrolled, and so soon as the Federal troops enter Holstein the organization of an army for the Duchies will proceed.

Hanover and Saxony are the two States whose troops are to form the army of occupation. Neither of these States seem inclined to recognize the Duke of Augustenburg. The question is, however, whether their Governments will be able to withstand the popular agitation in that sense. So long as the armies are not in motion, that agitation may not be seriously felt. Once the occupation has commenced, any attempt to prevent the formation of an army of the Duchies may lead to demonstrations. Yet it seems difficult to see how these are to be avoided, as I believe nothing will prevent the occupation of Holstein under one pretext or the other from taking place.

No. 357.

Sir A. Buchanan to Earl Russell.—(Received December 5.)

My Lord, *Berlin, December 2, 1863.*

THE debates upon the Schleswig-Holstein question commenced yesterday, and will probably be brought to a close to-day.

M. de Bismarck read in yesterday's sitting the declaration respecting the views of the Government, on the subject of which I have the honour to inclose herewith a translation by Mr. Morier.

I shall send a report on the debates themselves by next messenger.

I have, &c.

(Signed) ANDREW BUCHANAN.

Inclosure in No. 357.

Declaration of M. de Bismarck in the Sitting of December 1, 1863.

(Translation.)

OUR position in reference to the Danish question depends upon a past with which we cannot arbitrarily break, and which imposes upon us duties towards the Duchies, towards Germany, and towards the European Powers. The object of our policy will be to act up to our engagements in the manner which our highest political duty, viz., the care for the honour and security of our own fatherland, prescribes to us.

Prussia's position in the question must, for the present, be ruled by the London Treaty of 1852. The signature of that Treaty may be matter of regret, but as it has been signed, honour and wisdom both require that no doubt should be entertained of our faithful regard for Treaty engagements.

Whilst recognizing this obligation however as binding upon ourselves, we must equally assert its binding character upon Denmark.

The London Treaty was the concluding act of a series of negotiations which were carried on in the years 1851 and 1852 between Germany and Denmark. The engagements taken by Denmark in the course of these negotiations, and the Treaty which Prussia and Austria concluded in London in virtue of the same, are reciprocal obligations, and the one falls with the other. The maintenance of these stipulations is, in the meanwhile, especially as regards Schleswig, of the greatest importance, for it gives us the right, as regards this Duchy, to demand from Denmark the fulfilment of Treaty engagements. Were, with the Treaty of London, the agreement of 1851 and 1852 to fall to the ground, we should lose as regards Schleswig those Treaty rights which are endorsed by the recognition of the Great European Powers. A departure, therefore, from the Treaties of 1852 would, as regards the position of Schleswig and the demands of Germany, in respect to that Duchy, do away with the Treaty basis created in 1852, and make the general recognition of a new basis dependent upon fresh negotiations or upon the issue of an European war.

In order that these Treaties may maintain their value for us, it is necessary that they should be conscientiously carried out on the part of Denmark. That this has not taken place I may consider as admitted on all sides, and therefore need not here enter into particulars.

The decision upon the question as to when we shall be placed in the position, by the non-fulfilment of the Danish engagements, to renounce the London Treaty, must be left in the hands of the King's Government; they can neither leave this question to the decision of the German Confederation, nor make it the subject of declarations. We have come to an understanding with the Imperial Government of Austria which, for the present, ensures a corresponding attitude of both Powers in regard to the Treaty of London and its consequences. This understanding starts from the assumption that King Christian would be entitled to succeed in Lauenburg even without the London Treaty, inasmuch as the next heir, Prince Frederick of Hesse, has renounced in his favour. In regard to Holstein, on the other hand, his title to Succession depends upon the London Treaty, and the Execution of that Treaty is dependent upon the fulfilment of the Treaties that preceded it, and which, with the London Treaty, formed part of a connected whole. That such is the case has been lately proved in the Danish Reichsrath by the testimony of the most competent of all witnesses, M. Bluhme, who was Danish Minister for Foreign Affairs in 1851 and 1852. This is the view on which was based our vote in the Diet of the 28th ultimo, which has already been made known by the public press.

So long as the London Treaty is not to be considered void, we regard King Christian as the heir of the rights belonging to, as well as the wrongs inflicted by, his predecessor. The motives, therefore, which caused the Decree of Execution of the 1st of October continue unchanged, whilst present circumstances appear to demand an immediate carrying out of it.

For this purpose we have, conjointly with Austria, brought forward at the Diet the motions necessary for the immediate carrying out of the Execution.

Whatever decision may be come to at Frankfort, Prussia will, under all circumstances, in conformity with her position as a European Power, and as a member of the German Confederation, calmly but firmly maintain the rights of Germany in the Duchies and her own position in the Council of the Great Powers.

The King's Government reckons upon the ready assistance of the country and its Representatives to assist them in the fulfilment of this task. They will have to take the necessary military measures for the purpose of Federal co-operation in the Execution, and they will lay before the Landtag the proposals for the necessary financial means.

No. 358.

Earl Cowley to Earl Russell.—(Received December 5.)

(Extract.) *Paris, December* 3, 1863.

DURING a conversation which I had with M. Drouyn de Lhuys this afternoon his Excellency again adverted to the question of the Duchies. He said that he would recommend the Danish Government to meet in a fair spirit the obligations which the late King had contracted with Germany.

I asked his Excellency whom it was intended to send from hence to compliment the new King. He replied that the Emperor's choice had not yet been made.

No. 359.

Lord Napier to Earl Russell.—(Received December 6.)

(Extract.) *St. Petersburgh, December* 1, 1863.

I HAD the honour of seeing Prince Gortchakoff this forenoon, when his Excellency brought the question of the German Duchies and of Denmark under discussion.

I asked the Prince whether he had any assurance as yet that the Governments of Austria and Prussia intended to send Envoys to Copenhagen at this conjuncture. He replied that he had no such assurance. His Excellency added that up to the present time he was not aware of the resolutions taken by the French Cabinet in this matter.

The special Envoy designated by the Emperor of Russia to carry His Majesty's congratulations to the King of Denmark is M. d'Ewers, formerly employed in the Foreign Diplomatic Service; but now placed in the Foreign Department here, a gentleman of excellent character and abilities, who is particularly versed in the questions now under discussion. M. d'Ewers will leave St. Petersburgh for his destination on the 4th or 5th instant. Prince Gortchakoff was so kind as to make me acquainted with the instructions addressed to the Russian Envoy. They will be sent to Baron Brunnow along with this despatch, and will be imparted to your Lordship.

From the expressions of Prince Gortchakoff I gather that, in his opinion, M. de Bismarck is moderate in this question, and that he restrains the King of Prussia, who is urged to more extreme measures by persons of strong German sympathies and aspirations in His Majesty's confidence. M. de Bismarck, however, considers the engagements of 1852 respecting the Danish Succession to be strictly contingent, as far as Prussia is concerned, on the fulfilment of the previous promises of Denmark respecting Schleswig. Both Prussia and Austria insist on Federal Execution in Holstein in the limits heretofore prescribed by the Diet, and with the design to keep the interests of Constitution and Succession separate. Prince Gortchakoff is disposed to see in the Federal Execution, if properly managed, a conservative measure,—a means of giving satisfaction to the legitimate claims of the more moderate party in Germany, and of thus discouraging the designs of the Revolutionary section. Acting under judicious orders, in the opinion of the Prince, the Federal troops might preserve order, and maintain the due distinction between the legislative and dynastic questions.

Acknowledging my inability to pronounce a judgment in this matter, I ventured to differ with the Vice-Chancellor. I said that I feared, even under the best instructions, the troops of the minor German Governments, strongly possessed with the notions of German nationality, would appear rather in a revolutionary than a conservative attitude, and that in connection with their appearance on the stage, and the co-operation of a democratic and national propaganda, the population of the Duchies might be incited to steps which it might be very difficult to retrace. Had the troops of Austria been selected as the agents of the Federal Powers a different result might have been attained.

The Vice-Chancellor, in taking leave of me, requested that your Lordship would impart the communications which I might address to your Lordship in consequence of this conversation to Baron Brunnow, to whom a copy of M. d'Ewers' instructions is forwarded by the gentleman who will charge himself with my despatches.

No. 360.

Mr. Gordon to Earl Russell.—(*Received December 7.*)

My Lord, *Stuttgardt, November 30, 1863.*

I HAVE the honour to forward herewith a despatch which I have just received from Mr. Baillie, reporting his having communicated to Baron Roggenbach the expectations of Her Majesty's Government that the Governments who signed and acceded to the Treaty of London of May 8, 1852, would maintain the engagements they had undertaken in doing so, and the observations of the Baden Minister of Foreign Affairs in consequence.

I have, &c.

(Signed) G. J. R. GORDON.

Inclosure in No. 360.

Mr. Baillie to Mr. Gordon.

(Extract.) *Carlsruhe, November 27, 1863.*

I TOOK an early opportunity after the receipt of your despatch of the 22nd instant, of informing Baron de Roggenbach of the course which Her Majesty's Government intended to take in the question of the Succession to the Throne of the Danish Duchies.

I said that Her Majesty's Government intended to observe faithfully the engagements of the London Treaty of 1852, and that they expected from the Powers who signed or acceded to it, the same regard to good faith which they take for the guide of their own conduct. It followed therefore that Her Majesty's Government would hold Austria and Prussia, and the other States of the Confederation who had thus pledged themselves, as under a solemn obligation to abstain from rendering any assistance towards depriving the present King of Denmark of those rights which had been secured to him by the above-named Treaty, and also to recognize King Christian IX as Duke of Schleswig and Holstein.

Baron de Roggenbach said in reply that in his opinion the proceedings of Denmark during the last ten years, and especially the late act of the King in signing the Constitution for Denmark-Schleswig, were in violation of the stipulations of 1851 and 1852, under which the Great Powers of Germany acceded to the London Treaty, and that consequently he did not consider that they were any longer bound by it.

He then proceeded to observe that he was opposed to the carrying out of a Federal Execution under present circumstances, because it would involve a recognition of the rights of the King of Denmark in the Duchies; but he wished to see Holstein occupied by Federal troops in the first instance, and that every preparation should be made for meeting whatever events might eventually result from the efforts which the German people were determined to make for maintaining the honour and interests of their country.

I asked Baron de Roggenbach if he did not fear that if once a collision between Danish and German troops took place, it might lead to a war which would not remain merely local. He replied that there was undoubtedly cause for apprehension that such a catastrophe might be the result, which no one would regret more than himself; but there was no alternative, and if the attitude assumed by Germany in this question led to war, it could not be helped. Germany, he said, would justly draw down upon herself the contempt of the civilized world, and prove herself unworthy to exist as a nation in Europe if she neglected the present opportunity, and tamely submitted to see part of her rightful territory pass away irrevocably into the hands of a foreign Sovereign.

These are the principal points on which Baron de Roggenbach dilated in the course of his conversation with me.

It was scarcely to be expected that the Minister of one of the most popular and liberal of the German Princes would take a different view on this question from that which appears to prevail throughout Germany among all classes, especially in the face of the agitation in favour of the claims of the Prince of Augustenburg, which is nowhere more rife than in the Grand Duchy of Baden.

No. 361.

Mr. Gordon to Earl Russell.—(Received December 7.)

(Extract.) *Stuttgardt, November* 30, 1863.

I HAVE now the honour to forward to your Lordship, in translation, the full report of Baron Hügel's reply, in the Chamber of Deputies, to the questions which had been addressed to him, as to the adhesion of this Government to the Treaty of London of May 8, 1852, and the subject of the Schleswig-Holstein Succession, as reported in my despatch of the 27th instant.

I was told by Baron Hügel, whom I saw on the morning of the 28th, that the Report to be published that day in the official paper, and inclosed herewith, would be a corrected one, and your Lordship will perceive that it coincides in all essential particulars with the summary which I forwarded to your Lordship by telegram on the evening of the 27th instant.

The Wurtemberg Government have thus officially declared their determination to repudiate the engagements they undertook in acceding to the Treaty of London, notwithstanding the remonstrances of Her Majesty's Government which had been conveyed to Baron Hügel, when I acted on your Lordship's telegram of the 19th instant, as reported in my despatch of the 23rd instant; Wurtemberg being compelled to take this course by the strong pressure of public opinion here and elsewhere in Germany, and the fear of revolutionary outbreaks, should it adhere to the stipulations of the Treaty.

In the mean time, it is my duty to report to your Lordship that the excitement on the question of the Succession in Schleswig-Holstein, and the determination to separate both Duchies from Danish rule and maintain their incorporation with Germany, are increasing in this country and in the Grand Duchy of Baden, in a manner that no apprehension of possible alarming and perilous consequences appears likely to allay; so that if the Government do not place themselves at the head of the movement, revolution will be the certain result.

The hesitation which the Cabinets of Austria and Prussia have hitherto manifested, as to the course to be pursued by them on the Schleswig-Holstein question, is causing great discontent, and as regards Austria especially, if she should maintain the engagements of the Treaty of London, and refuse to support the so-called German cause, all her influence and popularity in the South of Germany will be annihilated, the opposition in Austria's favour to the Franco-Prussian Commercial Treaty will be at an end, and no voice will ever again be raised in these States in defence of Austria's position in Venetia, should it ever hereafter come to be imperilled.

The Schleswig-Holstein idea and question is the one subject with regard to which German Unity is a reality. This is the solitary point upon which all the German populations, all German Statesmen, agree; and being so exceptionally universal in its influence and acceptation, it is and will be adhered to and cherished from the hope that it thus affords of union upon more important matters being obtained through it, quite apart from the merits of the case itself. It is a national question in the strictest sense of the term, and it is cherished and supported with the unreasoning enthusiasm, which such questions always excite, and which is common to the statesman and politician as well as to the whole mass of the population.

Inclosure in No. 361.

Declaration of Baron Hügel in the Wurtemberg Chamber of Deputies.

(Translation.)

IT will still be in the recollection of this Chamber that the Sovereigns of Austria, France, England, Prussia, Russia, and Sweden and Norway, acting upon a conviction that the firm establishment of the Danish Monarchy was important in the interest of the European balance of power and peace, entered into an agreement of which the terms were laid down in the Treaty of London of 1852. Shortly afterwards pressing representations were made to the Royal Government to accede to this Convention. Whether it was in consideration of the object pursued on the part of the High Contracting Parties, or the probable fruitlessness of opposition, in short the Royal Government thought fit not to resist these pressing representations, and announced their accession to the Convention in a note addressed to the Danish Government on the 23rd November, 1852.

I allow that it would, perhaps, have been more desirable, following the example of Bavaria, to refer the question, as being a Federal one, to the Diet; or, still better, to have

refused consent. Nevertheless such a course was not followed. Fortunately, however the Danish Government for the last ten years have made it their object to make the declarations of acquiescence on the part of the Contracting Powers invalid; inasmuch as they have not only in no wise fulfilled any of the obligations which were connected in the closest manner with the concession of the right of Succession, but the reigning King of Denmark has begun with the incorporation of Schleswig with Denmark, by signing the new general Constitution for the whole Kingdom.

By this step the Government found themselves completely released from their engagements; but it was of opinion that the claims to Succession of the one as of the other claimant should be tried according to strict principles of right by a Committee of the Diet called together for this purpose, and that, until decision be come to as to such claims, the representation of the Duchies in the Diet should remain in abeyance. Such a conscientious examination seems to me the more irresistibly demanded by justice, in that besides the King of Denmark and Duke Frederick, other claimants have come forward, and still further, the "parage" ("Ebenbürtigkeit") of the marriage of the father of the Duke of Augustenburg, which is not at present above all doubt, must be taken into consideration. Besides this, an Act of Renunciation on the part of Duke August of Holstein is extant, in which he has renounced the Succession for himself and his descendants.

Without wishing to express myself more precisely as to the value of this document, one must perceive from all this that many legal questions must be decided before one can be brought to a conviction as to who is the proper heir to the Duchies, and especially before it can be certain that whether by the recognition of one claimant injustice to another may not be committed. Finally, the Government feels no doubt that the Diet has the right, for the sake of the maintenance of internal peace, and for the arrangement of the Succession question, which must also bear upon Schleswig, to occupy the Duchies forming a part of the Confederation; with which object the Plenipotentiary at the Diet has already been instructed to use his endeavours in favour of an immediate occupation by a sufficient army of Execution. If the right of the Duke of Augustenburg to Holstein be acknowledged by the Diet, and the King of Denmark oppose the occupation of Schleswig, I am convinced an appeal for armed assistance on the part of the Confederation would be consented to, and I should willingly be prepared to propose to His Majesty the King that proper instructions to this intent should be expressed. Further instructions have not up to this time been received by the Representative at the Diet. In any case it is my belief that the middle States are resolved, in the event of a European conflict, to act closely in conjunction with the two Great Powers who are proceeding in this question hand in hand, inasmuch as it is, after all, only the armies of the great Powers who are in a position to secure victory for this German question.

No. 362.

Mr. W. Ward to Earl Russell.—(*Received December 7.*)

My Lord, *The Hague, December 2, 1863.*

I HAVE the honour to acknowledge the receipt of the copy of a despatch addressed to Lord Bloomfield on the 23rd ultimo, relative to the differences between Denmark and the German Confederation.

On reading that despatch to M. van der Maesen de Sombreff, in pursuance of your Lordship's instructions, his Excellency observed to me that he entirely agreed with your Lordship's views in regard to those differences. He added, that he had on Saturday last instructed the Representative of Limburg and Luxemburg at the Diet to support the claim of M. von Dirchinck to be recognized as the Representative of His Majesty the King of Denmark for the Duchies of Holstein and Lauenburg.

I have since been informed that these instructions had arrived at Frankfort too late to be acted upon, and that the Limburg and Luxemburg vote had accordingly been reserved.

I have, &c.

(Signed) WILLIAM R. WARD.

No. 363.

Sir H. Howard to Earl Russell.—(Received December 7.)

My Lord, *Hanover, December 5, 1863.*

I COMMUNICATED yesterday to Count Platen your Lordship's despatch to me of the 2nd instant, in which, with reference to the report contained in my despatch of the 26th. ultimo, of a conversation I had held with his Excellency on the subject of the claims of Prince Frederick of Augustenburg to the Succession to the Duchy of Holstein, your Lordship observes that Her Majesty's Government recognize in the language of Count Platen the good faith and directness of purpose which they expected to find in the sentiments and conduct of the King of Hanover, and adds the assurance that Her Majesty's Government will do all in their power to induce the King of Denmark to be faithful to his engagements to the German Confederation.

Count Platen expressed himself as highly gratified with the contents of your Lordship's despatch, and stated that he would lose no time in bringing them to the knowledge of His Hanoverian Majesty.

I saw his Excellency again this morning, when he informed me that His Majesty had been much pleased with your Lordship's despatch.

I have, &c.
(Signed) HENRY F. HOWARD.

No. 364.

Sir H. Howard to Earl Russell.—(Received December 7.)

My Lord, *Hanover, December 5, 1863.*

SUPPOSING a Federal Execution in Holstein and Lauenburg to be carried out as proposed by Austria and Prussia on the basis of the Resolution of the Diet of the 1st of October last, the following would be the military arrangements as at present settled :—

After the summons to the Danish Government to withdraw their troops from those Duchies shall have been issued by the four Governments of Austria, Prussia, Saxony, and Hanover, charged with the Execution, and a short interval shall have been allowed in order to enable Denmark to effect this withdrawal, the two Civil Commissioners of Saxony and Hanover will enter the Duchies, attended by the whole Saxon corps of 6,000 men, and a Hanoverian regiment of Cavalry. The Hanoverian corps of 6,000 men, destined to act as a reserve, will be stationed on the Elbe, within the Hanoverian territory, between Harburg and Winsen, ready to march when required. In addition to these troops, Austria and Prussia will each immediately furnish a corps of reserve of 5,000 men. The Austrian corps will be stationed at Harburg, whilst the Prussian will take up its position in Mecklenburg, on the frontier of Lauenburg. Thus, the immediate corps of Execution, with its reserves, will be of 22,000 men.

Moreover, Prussia is to hold in readiness 25,000 at Magdeburg and Austria 15,000 in Bohemia, to support the corps of Execution, so that the whole of the military force already designated for that service amounts to 62,000 men.

Baron Münchausen, the Hanoverian Civil Commissary for the Execution, has already taken his departure for Frankfort, where he will meet the Saxon Commissary, Baron Könneritz, in order to be ready to receive his instructions.

Count Platen assures me that he will take care that the Commissaries shall be instructed not to permit the formation or entrance into the Duchies of Free Corps, nor to allow the Prince of Augustenburg to establish himself there.

I have, &c.
(Signed) HENRY F. HOWARD.

No. 365.

Sir H. Howard to Earl Russell.—(Received December 7.)

My Lord, *Hanover, December 5, 1863.*

THE Austrian and Prussian Governments seem to be now exerting themselves in earnest to bring about such a treatment of the Schleswig-Holstein question by the

Diet as may be compatible with their own position under the Treaty of the 8th of May, 1852, and with the Federal Legislation; for they have transmitted a circular despatch to their Representatives at the German Courts, inclosing to them the draft of an identic note, to be presented by them to the Governments to which they are accredited, urging the latter to vote at the Diet in favour of the Austro-Prussian proposal for a simple Execution, in order to carry out the Resolution of the 1st of October last. According to their instructions the Austrian and Prussian Ministers at this Court yesterday addressed to Count Platen identic notes to that effect.

In these notes the Austrian and Prussian Governments, after referring to the serious complications to which the affair may give rise, convey their firm determination to uphold the rights of Germany, and refer to the proposal they have made for immediately carrying out the Federal Execution on the basis of the Resolution of the Diet of the 1st of October. They urge the adoption of this proposal by the other German Governments, and remark that such adoption can take place without prejudice to the Succession question. On the other hand, they point out the dangers which may result for the peace of Europe were, conformably to the views of some of the other German Governments, an occupation to be decided upon. They state that Austria and Prussia, as European Powers, are bound by the Treaty of May 8, 1852, that as German Powers they must regulate their conduct according to it, and that they consequently cannot take up arms for the purpose of undoing it. They remark that the German Confederation has likewise an European character, and ought to be guided in its decisions by considerations connected with European policy. They observe that it will be open to the other German Governments who are not in the same position as Austria and Prussia as regards the Succession question, in recording their votes, to make reservations, but they insist upon the Resolution of the Diet itself not containing any reservations. They conclude by urging the Hanoverian Government to give their vote in favour of a simple Execution, as proposed by Austria and Prussia.

As Count Platen only read to me the note of the Prussian Minister, which he said was identical with that of the Austrian Minister, I have been unable to give more than the substance of the communication in question, without vouching for the exact expressions.

From the first moment that I heard of the step taken by the Austrian and Prussian Ministers, I have employed every argument which presented itself to my mind, founded on the obligations which Hanover has contracted and acknowledged under the Treaty of 1852; to induce Count Platen at once to accede to the more moderate proposal which they have been charged to submit to him; but I regret to say that before pronouncing himself positively upon it, he has thought it expedient to refer to Vienna and Berlin with the view of ascertaining whether, supposing the Committee of the Diet, instead of adopting the Resolution as already proposed by M. von der Pfordten, the Bavarian Envoy, which contains reservations concerning the Succession question, were to propose a simple Execution without reservations, Austria and Prussia would be willing, in giving their votes in the Diet, to declare that the various pending questions would not be prejudged.

His Excellency is of opinion that if the two Courts were to make such a declaration, the middle German Governments might be induced to support the simple Execution, and a majority might thus be obtained in its favour. What he has at heart, I believe, is to obviate the odium which might be cast upon Hanover, in the present state of German feeling, were she, besides Mecklenburg, to figure as the only supporter of the Austro-Prussian proposal. But as Austria and Prussia have stated that the other Governments, in voting for the simple Execution, would be at liberty to record their reservations, it would only be shifting the responsibility from such Governments to Austria and Prussia, to demand that they should make the proposed Declarations in the Diet that the pending questions should not be prejudged; and whereas Denmark might be disposed to overlook the reservations of minor German States, she might view the question in a more serious light, and as changing the whole character of the Execution into that of an occupation, which would involve a case of war, were the two great German Powers, Parties to the Treaty of 1852, to come forward with such Declaration. This, and more than this, I have represented to Count Platen, but it is far easier to obtain an acknowledgment of existing obligations than their literal fulfilment. However, his Excellency avers that all will come right in the end.

I have, &c.

(Signed) HENRY F. HOWARD.

No. 366.

Lord Bloomfield to Earl Russell.—(*Received December* 7.)

My Lord, *Vienna, December* 3, 1863.

I HAVE taken an opportunity of reading to Count Rechberg your Lordship's despatch of the 23rd ultimo, containing observations which you wished me to make to his Excellency with reference to my telegram of the 22nd ultimo, reporting the decision about to be taken at Frankfort to carry a Federal Execution into Holstein unless some modification were introduced into the new Danish Constitution with a view to meeting the engagements contracted by Denmark in 1851 and 1852.

When I came to that part of your Lordship's despatch in which you say, "But even admitting that the promulgation of this new Constitution justifies the Diet in declaring war against Denmark," his Excellency interrupted me, observing that Germany was not going to make war; a Federal Execution was not war, and the Execution would be carried out strictly in accordance with the practice of the Diet in cases where one of its members contravenes its Federal duties. He repeated what he had frequently said before,—that Denmark had engaged with Austria and Prussia not to issue a Constitution that would apply to Holstein without consulting the Provincial States of that Duchy, and obtaining their assent. The same obligation, he added, applied to Schleswig; whilst it might be remarked with reference to the last-named Duchy, that though it was true the Deputies had refused to attend the Rigsraad, their substitutes might have been compelled to do so by the Government; and it was a consequence of their absence that the Government obtained the necessary majority, I think he said of two-thirds of the Assembly, which enabled them to carry out a fundamental change in the Constitution.

With regard to your Lordship's suggestion that the Diet should require Denmark to withdraw the Letters-Patent of March 30, Count Rechberg repeated what he said on a former occasion, as reported in my despatch of the 26th ultimo, that all this was now too late, and there was no other course left but an Execution.

His Excellency saw no objection to refer questions of an international character connected with this affair to the Powers who signed the Treaty of 1852. He seemed rather to encourage the adoption of such a course, and was glad to think that at all events there was an excellent understanding between Austria and Prussia at this moment; but he considered the smaller States to be acting under the direction of the National Verein, and to be rapidly passing into a state of democratic revolution, and he knew not in what manner the two Great German Powers could proceed in order to divert this danger from Germany.

I have, &c.
(Signed) BLOOMFIELD.

No. 367.

Lord Bloomfield to Earl Russell.—(*Received December* 7.)

(Extract.) *Vienna, December* 3, 1863.

COUNT RECHBERG has informed me, with reference to Prince Gortchakoff's proposal that the five Courts who signed the Treaty of London of May 8, 1852, should, through the special Envoys who will be sent to congratulate the King of Denmark on his accession, endeavour to facilitate an arrangement of the dispute between Germany and Denmark, that having now learnt that Prussia approves of the project he has to say that the Imperial Government willingly adopts it.

No. 368.

Lord Bloomfield to Earl Russell.—(*Received December* 7.)

My Lord, *Vienna, December* 3, 1863.

I HAVE the honour to transmit herewith a translation, by Mr. Mounsey, of an Address to the Emperor adopted by the Municipal Council of Vienna, in which that Body expresses the sympathy which it feels for the cause of Schleswig-Holstein, and appeals to His Majesty to take such steps as shall secure to the inhabitants of the Duchies

"the enjoyment of their national privileges, and thus maintain the rights and the honour of Germany."

The Imperial Government look with no favour on the popular excitement which is being kindled upon this question, and they have taken steps to prevent the assembly of large meetings, which have been convoked in various cities of the Empire for the purpose of discussing it. Private meetings are however held, in which it is understood that subscriptions of money are collected for the so-called "Holstein" cause, and there is no doubt that in Austria as well as in other parts of Germany, public excitement upon this subject is very great.

I have, &c.
(Signed) BLOOMFIELD.

Inclosure in No. 368.

Address of the Municipal Council of Vienna to the Emperor of Austria.

(Translation.)
May it please your Majesty,

WE still hear the echo of those noble words used by your Majesty on an occasion of great importance—"I believe that the moment has arrived to renew in the spirit of our day the Confederation founded by our fathers, to animate it with new life by the participation of our people, and thus to render it capable of maintaining Germany as one indivisible whole and for all time, in honour and might, in safety and prosperity."

This memorable phrase awakens in the hearts of the faithful representatives of your capital the conviction that your Majesty will be graciously pleased to accept this expression of their feelings of sympathy and enthusiasm for the rights of a long-oppressed and kindred people, and the respectful prayer which they take the liberty of attaching thereto, that your Majesty will at this important movement, when the fate of the Elbe Duchies is to be decided, cause such steps to be taken as may, by means of decisive and speedy measures on the part of the German Confederation, secure the German Duchy of Holstein from all violence, and in indissoluble union with Schleswig protect a noble race in its constitutional privileges, and thus maintain the rights and honour of Germany.

May it please your Majesty at the same time to accept on the part of the city of Vienna the expression of its inviolable fidelity and attachment, and of its readiness to make every sacrifice where German interests are concerned.

No. 369.

Lord Bloomfield to Earl Russell.—(Received December 7.)

My Lord, *Vienna, December* 3, 1863.

M. DE LOWENFELS arrived here some days ago charged with a letter from the Duke of Saxe-Coburg to the Emperor of Austria.

M. de Löwenfels has had an audience with His Imperial Majesty; and been very graciously received, but the object of his mission, as described to me, has completely failed.

It would appear that in the Duke's letter, His Royal Highness suggested that, as the movement now going on in Germany upon the Schleswig-Holstein affair, as well as the question of the Succession of the Prince of Augustenburg, would become irresistible, he appealed to the Emperor not to throw any impediments in the way of a successful termination of these questions, and to place himself at the head of the popular party and take the lead in Germany.

M. de Löwenfels is still at Vienna; I am not aware of the terms of the answer he will carry to Gotha, but it must be one most unfavourable to the cause he had been sent to advocate.

I have, &c.
(Signed) BLOOMFIELD.

No. 370.

Sir A. Malet to Earl Russell.—(Received December 7.)

My Lord, *Frankfort, December 5*, 1863.

THE Diet has held no sitting this week on account of the Report of the Committees as to the grounds on which the troops of the Confederation shall enter Holstein not being ready.

At present, as I am informed, a sitting will be held on Monday, when M. von der Pfordten will present the Report.

There has evidently been much difference of opinion between Execution and Occupation, but it is impossible to learn beforehand to which side the scale leans.

If the Report is framed according to M. von der Pfordten's own wishes, it would be easy to foresee what would be its recommendations.

It is, however, felt that Austria and Prussia both seek to make more moderate counsels prevail; but while M. de Bismarck's declarations in the Chamber of Deputies at Berlin are to the effect that the Prussian Cabinet cannot allow the Diet to control its decisions in the matter of the right of Succession to the Duchies of Holstein and Schleswig, M. de Budberg is reported to have said in the Vienna Chamber that Austria would submit in all respects to the Diet's decisions.

I have, &c.
(Signed) A. MALET.

No. 371.

Sir A. Malet to Earl Russell.—(Received December 7.)

My Lord, *Frankfort, December 5*, 1863.

I HAD the honour of receiving your Lordship's telegram acquainting me with Lord Wodehouse's appointment on an extraordinary mission to Copenhagen yesterday evening, and lost no time in obeying your Lordship's instruction by informing the Austrian, Prussian, and Danish Envoys of his Lordship's mission and of its objects.

I have, &c.
(Signed) A. MALET.

No. 372.

Sir A. Buchanan to Earl Russell.—Received December 7.)

(Extract.) *Berlin, December 5*, 1863.

WITH reference to your Lordship's despatch of the 1st instant, I have observed to M. de Bismarck that your Lordship has reason to believe, from Sir Augustus Paget's reports, and from statements of Baron Charles Plessen and Count Blome, that the people of Holstein are perfectly tranquil, and that you fear if the proposed Federal Execution is carried out, the tranquillity now existing in the Duchy may be disturbed.

M. de Bismarck said that his reports from Holstein and from Hamburgh were not so satisfactory, as even clergymen in the Duchy appear to have called in question, from the pulpit, the Sovereignty of the King of Denmark; and 2,000 Danish recruits, ordered to join their regiments, had escaped to Hamburgh, where their presence caused great anxiety to the authorities. Money was also collecting throughout Germany for the Prince of Augustenburg; and, while offices had been opened in Hamburgh, and in several other States, to raise men for his Highness's service, arms, uniforms, and accoutrements were preparing for their use. Free corps might, therefore, soon enter Holstein, and proclaim his Highness as Duke of Schleswig-Holstein.

M. de Bismarck did not doubt that the King of Denmark might be able to maintain his authority against any opposition which might thus be offered to it; but if His Majesty were obliged to employ force, many of the Schleswig-Holstein sympathizers who would fall in any conflict which might take place between them and His Majesty's troops might be lawless adventurers, but others might be enthusiastic young men, whose death would increase the excitement now prevailing in Germany to a degree which it would be impossible for the Governments to resist.

I said that Her Majesty's Government, while advising Prussia, Austria, and other

Powers to maintain the Treaty of 1852, would also advise Denmark to fulfil all her engagements to Germany; but it appeared to me the presence of Federal troops in Holstein would render it more difficult for the King of Denmark to make concessions than if he were allowed time, as suggested by Her Majesty's Government, to adopt the advice which would be offered to him by the Powers who signed the Treaty of London.

M. de Bismarck then said, with reference to a question which I had put to him last week, as to whether the usual summons would be addressed to the King of Denmark before the entrance of Federal troops into the Duchy of Holstein, that it appeared to him an Execution could not well take place without the King being called upon to withdraw his troops to make way for those of the Confederation; and this was probably the reason why the majority of the Diet at Frankfort were opposed to carrying out the Execution according to the Federal Decree of the 1st of October, because such a summons would be an indirect acknowledgment of the King's Sovereignty in the Duchy.

It had, however, been arranged that there should be no meeting of the Diet on the 3rd instant, and in the meanwhile Austria and Prussia had addressed identic notes to the other Governments of Germany, remonstrating against the proposal for an occupation of the Duchy, and insisting upon the adoption of the more moderate measure of an Execution.

No. 373.

Sir A. Buchanan to Earl Russell.—(Received December 7.)

My Lord, *Berlin, December 4, 1863.*

I HAVE acquainted M. de Bismarck with Lord Wodehouse's appointment to proceed on a special mission to Copenhagen, to congratulate the King of Denmark on his accession to the Throne, and to communicate with the Danish Government respecting their present relations with Germany.

The messenger who left London on the 3rd instant has not yet arrived, but I have mentioned to M. de Bismarck that Lord Wodehouse will pass through Berlin on his way to Denmark, and that I hope the King will afford me an opportunity of presenting his Lordship to His Majesty.

I understand that M. Ewers, who has been appointed by the Emperor of Russia to fulfil a similar mission to Copenhagen, is expected in a few days.

I have, &c.
(Signed) ANDREW BUCHANAN.

No. 374.

Sir A. Buchanan to Earl Russell.—(Received December 7.)

My Lord, *Berlin, December 5, 1863.*

AS reported in my telegram of the 3rd instant, the Chamber of Deputies, in its sitting of the 2nd instant, passed the Resolutions moved by MM. Virchow and Stavenhagen, in favour of recognizing the Hereditary Prince of Augustenburg as Duke of Schleswig-Holstein, and supporting his claims.

I have the honour to transmit to your Lordship herewith a copy of the Report of the Committee appointed to examine these Resolutions, as well as the Reports published in the newspapers of the debates which took place on the 1st and 2nd instants.

I have further the honour to inclose a Report by M. Morier, in which a précis of both these documents is given.

I have, &c.
(Signed) ANDREW BUCHANAN.

Inclosure in No. 374.

Report of the Sitting of the Prussian Chamber of Deputies, December 1, 1863.

THE Report of the Committee appointed to examine the Resolutions in reference to the Schleswig-Holstein question is laid before the House.

This Report enters at full length into the historical antecedents of the question, and argues—

1st. That Austria and Prussia had exceeded their powers by concluding the Treaty of London without obtaining for it the assent of the German Diet (Article VI of the Final Act of Vienna laying down that no portion of Federal territory can be ceded to a foreign Sovereign, such as is the present King of Denmark, without the consent of the Confederation).

2ndly. That the consent of Austria and Prussia to the London Treaty having been given on the faith of certain engagements contracted by Denmark, which engagements have not been kept, the obligations of the Treaty are no longer binding upon those Powers.

It argues in the same sense as the identic Declaration made at Frankfort on the 28th ultimo by Austria and Prussia, that the negotiations of 1851-52 and the Treaty of London are part and parcel of one international contract, and that the non-fulfilment of this contract by the one party absolves the other from their engagement.

The Report then explains on what grounds the Committee has preferred the Resolutions proposed by MM. Virchow and Stavenhagen to those of Count Schwerin and Baron Vincke-Olbendorff, and on what grounds the latter have withdrawn theirs.

The compromise thus effected amounts to this: that without calling directly on the Government to carry out the wishes common to both Resolutions, the two parties are agreed that if the present Ministry were to announce its intention of acting upon the Resolutions of the House, the House would be bound to furnish it with the means requisite for so doing.

The Resolutions recommended by the Report are, with slight alterations, the first set of Resolutions contained in the inclosure to Sir Andrew Buchanan's despatch of November 24.

They declare it to be the opinion of the House that the honour and interest of Germany require that the Hereditary Prince of Augustenburg should be recognized as Duke of Schleswig-Holstein, and that effectual assistance should be rendered to him for the vindication of his rights.

As an amendment to this Resolution, Baron van der Heydt and the Ministerial party proposed that—

"The House should express its readiness in the present state of the question of Succession in the Duchies of Holstein, Lauenburg, and Schleswig, to give to the Government all the means it may require for the purpose of maintaining the rights of the German Confederation."

As a sub-amendment, M. Waldeck and some of the most advanced of the Opposition proposed that the House should simply declare that Christian IX should not be recognized as Duke of Schleswig-Holstein.

Hence the object of the Resolutions is to pledge the House to a distinct line of policy, and to a support of this policy even if carried out by the actual Ministers. The object of the amendment is to support the Ministry in whatever policy they may think it right to follow. The object of the sub-amendment is to let nothing interfere with the present Constitutional conflict, to maintain a negative attitude in reference to any question not involved in this conflict, and to refuse money to the Government on whatever plea it may be asked.

M. Twesten, as Reporter of the Committee, opened the debate. He began by observing that since the Report was printed the declaration of Austria and Prussia at Frankfort, the first identic step taken by those two Powers at the Diet for the last eight years, had been made. In this declaration it was stated that the negotiations of 1851-52, of which the Treaty of London was the concluding act, had been carried on not with Denmark only, but with the great European Powers, and therefore imposed obligations in reference to these. On this point he would observe that, if the text of the London Treaty were examined, it would be found that obligations had only been entered into in reference to Denmark, and that ratifications had not been exchanged reciprocally between the Great Powers, but only between each of those Powers and Denmark.

He next called attention to the speech made by M. Bluhme in the Reichsrath at Copenhagen, in which that Statesman, who himself had negotiated the arrangements of 1851-52, had proved that the new Dano-Schleswig Constitution was in direct contradiction to the engagements then taken, and that it cut away the foundations on which the Treaty of London rested. The King's Government had, it was true, protested against this Constitution, but this was an altogether false step

to take. Instead of treating this *fait accompli* as a good and full reason for withdrawing from the engagements taken in 1852, the Government had insisted on its withdrawal, *i.e.*, insisted on a fulfilment of the engagements then come to. To carry out a Federal Execution on this basis was to acknowledge that King Christian was Duke of Holstein.

M. Twesten then went on to notice some of the objections that had been raised against the Resolutions of the Committee. In the first place it was urged that the hereditary Prince of Augustenburg was, on the ground of his birth, not entitled to succeed, as being issued from a marriage with a Countess Daneskiold, who was not of equal birth with the Duke of Augustenburg. This objection was wholly invalid, as the bar by inequality of birth was not a universal law, but only a particular law in force in a majority, but not in all the Princely families of Germany. It had never been in force in any portion of the family called upon to succeed to the Duchies. The Queen of Frederick VI had been a Countess Reventlow. The Augustenburgs had intermarried with Countesses Ahlefelt von Wenterfeld, &c., and the Glückburgs likewise. The present King of Denmark was grandson to a Countess Schlieben, and amongst his near ancestors was a Countess Dohna. If the bar held good, therefore, he would be equally with the Prince of Augustenburg not eligible to the Dukedoms of Holstein and Schleswig.

A far more important exception taken to the Resolutions was that they did not consult the interests of Prussia. It was urged that Prussia had no interest in the question as to whose hands the Duchies were in. This objection was raised by that narrow-minded party who had always hated the Schleswig-Holstein movement, because it was identified with the national and liberal cause. To those who admitted that Prussian interests were identical with German interests there could not exist a doubt on the matter.

The speaker then went on to describe the topographical importance to Germany, and therefore to Prussia, of the countries north of the Elbe, and showed how important it was in a strategical point of view, and merely for defensive purposes, that Holstein in a European war should not be in enemies' hands.

He then adverted to the Waldeck amendment. The mere non-recognition of Christian IX would be matter of little concern to that Sovereign. The question raised by M. Waldeck was this whether the integrity of Germany, or the actual Constitutional conflict in Prussia were the important interest to be attended to. But this was evidently not the right issue, as the free development of Prussia and the cause of national honour were too much interwoven to bear of separation. Moreover, the Ministry had shown that they had no intention of placing themselves on a line with the Resolutions under discussion, and therefore the danger against which M. Waldeck wished to guard was an imaginary one.

The speaker concluded by saying that the Duchies held fast to Germany; that they might long since have made advantageous terms with Denmark had they not so clung to her; that they well knew that upon them the brunt of Denmark's anger would fall; but that nevertheless they would not despair. Such a country as this Germany was bound to retain, and to see that no portion of it was given up.

M. de Bismarck, in reference to the preceding speech, observed that there was an important point which had been touched upon, and correctly stated, viz., that the Treaty of 1852 was a Treaty between each of the Contracting Parties and Denmark, and not a Treaty between the Great Powers *inter se*. As regarded the incorporation of Schleswig he wished to observe that although the new Dano-Schleswig Constitution had been decided on, it was not yet enforced.

When once it was enforced the position of Prussia would be ruled by the protest laid down at Frankfort against it, and by the declaration which he would now read to the House.

M. de Bismarck then read the declaration, a translation of which was inclosed in Sir A. Buchanan's despatch of the 2nd instant.

M. Waldeck then rose to support his amendment.—The Resolutions proposed by the Committee were very well for public meetings and for the public Press, but it was the business of the House of Deputies to remember that Prussia could do absolutely nothing for the union or liberties of Germany until she had herself conquered her own freedom. Those who were thinking of concluding a hollow peace with the present Ministry would do well to remember that even the most moderate portion of the nation was determined to grant to the actual Cabinet neither new taxes nor public loans; these were the only weapons left in the hands of the House, and to throw them away was to remain defenceless. He understood

Baron van der Heydt's amendment and Count Schwerin's support of the Resolutions of the Committee, as these gentlemen had formed part of the Ministry which had first introduced the re-organization of the army, and a war would undoubtedly assist in consolidating this re-organization; but he did not understand Liberal Members following such a policy. He then went on to explain the purport of his amendment, which was to leave the question unprejudiced against better times. He made light of the legitimate claims of the Prince of Augustenburg. The question of importance to the Duchies was not to be ruled by the next Agnate but by the next best man, and what guarantee had the House that in supporting the claims of this Prince they would be establishing the right man in the right place, and that this would not be creating a new set of Mecklenburgs? For the old rights and privileges of the Duchy, which were of a feudal stamp, he could have no sympathy. He would prefer these Duchies getting into the hands of Prussia, who could make a better use of them for the common interests of Germany than a small Duke could.

The point, however, to be dwelt upon was that Prussia could not enter into a great war, which would necessarily become a war for her very existence under such a Ministry as the present, and that the House therefore should pass no Resolution, the carrying out of which might involve such a war.

Count Schwerin speaks in favour of the Resolutions and explains the position of his party in reference to them.

Dr. Semme in support of the Waldeck amendment.

M. de Sybel, in a long and eloquent speech, speaks in favour of the Resolutions of the Committee. He lays a principal stress on the national forces at work in this question, and urges upon the Great German Powers the policy of working for a Scandinavian Union, the frontiers between Scandinavia and Germany to be identic with the boundary lines between the two nationalities. Two such Powers on the shores of the Baltic would be natural friends instead of natural enemies, and would oppose the true barriers against Russian preponderance. At the conclusion of his speech he referred to the King's relation to the subject by calling to mind His Majesty's opposition to the policy which had been carried on at Olmütz; he was firmly convinced, he said, as matters now stood, that the Throne, the House, and the nation would be united in their determination to safeguard the honour of Germany at stake in this question.

M. Yung, in favour of the Waldeck amendment. The former speaker had admitted that Prussia was in a very sick and unhealthy state. A sick man was not in a fit state to take the field, &c., &c.

Dr. Loewe, in favour of the Resolution.

M. von Sancken-Targrutchen, in favour of the Waldeck amendment. The House prorogued.

Sitting of the 2nd of December.

M. Wagener, the leader of the Feudal party (formerly editor of the "Kreuz Zeitung"), in support of Baron van der Heydt's amendment. He turns the Liberal party to ridicule for their sudden enthusiasm in the cause of legitimacy, and for their readiness to support the cause of the Confederation and the rights of a German Prince, after the contempt which they have hitherto lavished on the German Diet, and the complaints to which they have given utterance respecting the multiplicity of the Sovereigns of Germany.

Until the men who voted for these Resolutions were ready to give up on the principle of legitimacy all that they had approved of during the last ten years, viz., the driving of Austria and the minor Sovereigns from Italy, the robberies committed on the territories of the Pope, the loss of Neufchâtel, he would request them, in the celebrated words of Baron Vincke, "to keep off with their legitimacy." He supported the amendment of Baron van der Heydt, because it was the business of the Government to guide the foreign policy of the country. He would like to know what was to become of the prerogatives of the Crown, if the House of Deputies were to take upon itself to pass Resolutions and to lay down conditions in regard to foreign questions. The speaker then entered at great length into the question of Succession, in a sense adverse to the Augustenburg claims.

In spite of M. de Bismarck's observations on the preceding day to the effect that the Treaty of London had been ratified with Denmark only, he maintained that so long as the great Powers were parties to that Treaty, and maintained their Treaty obligations, Prussia, if she withdrew from hers, would have to deal with them.

Dr. Jacoby, in favour of the Resolutions.

M. Groote, in a violent speech, in the course of which he had frequently to be called to order by the President, spoke in favour of the Waldeck amendment and of war *à l'outrance* against the Bismarck Ministry.

M. Schultze-Delitsch, in favour of the Resolutions. He spoke eloquently against the Waldeck amendment, and urged that for Prussia to do her duty in a great national question was for her to be fighting for the same principles as those she was engaged in defending on Constitutional questions.

It is easy to say that the Ministry, if the nation were once engaged in a war for the national existence of Prussia, could remain in an attitude of hostility towards the Prussian people. But such a thing was impossible. As regarded the question of war, it was a great and important question, and should not be lightly treated, but it should be remembered that those counsel the worst for the maintenance of peace who, in a great and important crisis like the present, only fold their arms. We shall do more for peace, the speaker went on to say, if we once show that it is not safe to meddle with Germany's rights, than if we show that we now suffer wrong with impunity.

With regard to England M. Schultze-Delitsch observed that she had sytematically treated the rights of Germany with contempt, and persisted in reproaching the Germans as the oppressors, instead of the oppressed. The German nation should take note of this English treatment. Even France had observed, as compared with England, far greater propriety, and had listened, at least, to the German side of the question. England's way of treating foreign nations was to treat with contempt those who would not defend themselves, and with respect, those who showed their teeth; and she will continue, he added, to treat us with scorn, so long as she believes that we are not ready to defend our rights.

After M. Reichensperger, Baron Vincke-Olbendorf, and others had spoken, the House divided, and passed the Resolutions of the Committee with a majority of 231 to 63.

No. 375.

Sir A. Buchanan to Earl Russell.—(*Received December* 7.)

My Lord, *Berlin, December* 5, 1863.

I HAVE taken an opportunity, with reference to your Lordship's despatch of the 2nd instant, to state to M. de Bismarck that Her Majesty's Government consider the text of the Treaty of London to be clear and explicit, and that they regret the Prussian Government should see in the violation of her previous engagements by Denmark any justification for hesitating to fulfil stipulations which to Her Majesty's Government appear binding in honour and good faith.

I have, &c.

(Signed) ANDREW BUCHANAN.

No. 376.

Sir A. Buchanan to Earl Russell.—(*Received December* 7.)

(Extract.) *Berlin, December* 5, 1863.

ADMIRAL IRMINGER, who arrived here eight days ago to notify to the King the accession of King Christian IX to the Throne of Denmark, left this morning for Vienna, as the King would not fix a day for receiving him.

I understand that M. de Bismarck explained to the Danish Minister that the King had no objection of importance to granting M. Irminger an audience. M. Irminger having spoken of proceeding to Vienna unless an early day could be fixed for his audience, and of returning to Berlin on his way back to Copenhagen, where he is expected before the end of the month, the plan was warmly encouraged by M. de Bismarck, and M. Irminger consequently adopted it.

As M. de Bismarck has spoken to me on the subject, I said that I was afraid Count Rechberg might see in this arrangement a desire on the part of Prussia to shift a cause of unpopularity from her own shoulders to those of Austria, which was hardly consistent with the new policy upon which the two Governments were

entering. His Excellency replied that it would, however, be much easier for the Emperor of Austria to receive M. Irminger than for the King of Prussia.

No. 377.

Earl Russell to Lord Bloomfield.

My Lord, *Foreign Office, December 7*, 1863.

IT appears by your telegram of the 5th instant that Count Rechberg is anxious that Lord Wodehouse should be authorized to exercise some degree of pressure on the Danish Government with the view of overcoming the obstinacy which his Excellency is disposed to attribute to it, and which he apprehends, if maintained, may defeat the exertions of Austria and Prussia to restrain the revolutionary movement in Germany.

The intelligence, however, which will by this time have reached Vienna that the King of Denmark has revoked the Patent of the 30th of March, must satisfy Count Rechberg that the charge of obstinacy which he brings against the Danish Government is not well-founded.

Count Rechberg apprehends that if the Danish Government should not give way, war is inevitable. But in the opinion of Her Majesty's Government, that calamity may be averted by the recognition on the part of Austria and Prussia of the King of Denmark, and by a declaration that the troops of Austria and Prussia occupying Holstein will resist any attempts to produce a revolution in the Duchy.

Her Majesty's Government are perfectly prepared to advise the King of Denmark to fulfil the engagements which the Danish Government have contracted with Austria, Prussia, and Germany in regard to Schleswig; and if His Majesty should decline to listen to such advice, and should reject reasonable proposals, Her Majesty's Government would consider that on the Danish Government would the responsibility rest of any consequences that might result from their refusal.

I am, &c.

(Signed) RUSSELL.

No. 378.

Lord A. Loftus to Earl Russell.—(Received December 8.)

My Lord, *Munich, December 1*, 1863.

I HAVE the honour to forward to your Lordship herewith a translation by Mr. Trench of a public announcement made by the Deputation who presented to Baron Schrenk the Resolutions voted at the meeting held in this town on the 25th ultimo, in favour of the Duchies of Schleswig-Holstein.

This document, which bears the signature of the Burgomaster and the other members of the Deputation, informs the inhabitants of Munich that Baron Schrenk had promised to forward the Resolutions voted by the meeting to the King of Bavaria at Rome; and had added that the position which the Bavarian Government had taken upon this question remained unchanged, and was the same as had been fully explained to the Chamber of Deputies in 1859.

I have, &c.

(Signed) AUGUSTUS LOFTUS.

Inclosure in No. 378.

Extract from the "Isar Zeitung."

To the inhabitants of Munich.

THE Undersigned hereby announce to the public that, according to the desire of the meeting, they have handed over to the Minister for Foreign Affairs the Resolutions passed at yesterday's meeting on the Schleswig-Holstein question, expressing at the same time to his Excellency their hope that the said Resolutions might be brought without delay to the knowledge of His Majesty the King.

His Excellency promised that these Resolutions, as well as the Augsburg Address, should be forwarded to the King at Rome; and added that the position

taken up by the Bavarian Government on this question remained unchanged, and the same which in the year 1859 was explained by the Ministry to the Chamber of Deputies.

Munich, November 26, 1863.

(Signed) VON STEINSDORF.
LEO. HANLE.
GUSTAVUS MEDICUS.

No. 379.

Lord A. Loftus to Earl Russell.—(Received December 8.)

My Lord, *Munich, December* 1, 1863.

THE popular fermentation on the Schleswig-Holstein question continues unabated in the Kingdom of Bavaria, as throughout all Southern Germany.

In all the principal towns meetings have been held to petition the King to acknowledge the rights of Prince Frederick of Augustenburg, and to support the cause of the Duchies against Denmark. These meetings have been presided by the Burgomasters, and the principal local authorities have taken part in them.

As a specimen of the expression of public opinion on this question, I have the honour to forward to your Lordship herewith a précis in translation by Mr. Trench, of an Address voted to the King at a meeting held a few days ago at Bayreuth. Similar meetings have been held at Nuremberg, Bamberg, Furth, Passau, Ratisbon, Lindau, &c.

I am informed that subscriptions are being raised for the purpose of procuring arms and ammunition, and that lists are also being opened for the enrolment of volunteers to assist and protect the German population of Holstein.

This national effervescence is very embarrassing to the Bavarian Government, who, however disposed they may be on patriotic grounds to protect the rights of the German Duchies, are somewhat fearful of being drawn in the wake of what may be considered a Democratic movement.

Baron Schrenk informed me to-day that his instructions to the Bavarian Representatives at the Diet were in support of an immediate entry of Federal troops into Holstein.

He said that some difference of opinion had existed at the meeting of the Diet on Saturday last as to the grounds on which the Federal action should be based. For his part, however, he considered it immaterial whether the entry of the troops should be ordered as a "Federal Execution" or as a "Federal occupation," the importance being that they should enter, and with the least delay.

In the event of the Federal Execution being finally agreed upon as the form of intervention, his Excellency stated that a reserve would be made intimating that the "Execution" did not in any way prejudge the question of the Succession.

Baron Schrenk stated that so strong was the current of public opinion throughout all Germany on this question that the occupation, or, as he termed it, the "prise en possession" of the Duchies, was a measure imperatively called for to prevent revolution in Germany. The German Governments, he said, were placed between two dangers, namely, that of action in favour of the Duchies which might lead to war, or that of revolution at home if they abstained from taking part in the national cause. Of these two evils they must choose the lesser. There was no reason, he observed, why Denmark should resist an occupation or consider it as a *casus belli*. The territory to be occupied was territory appertaining to the Germanic Confederation, and as there were two pretenders to the sovereignty, there was nothing more natural than that Germany should hold it in pledge to be delivered over to its rightful Sovereign on the decision of the Diet.

Baron Schrenk informed me that Austria and Prussia had declared their intention to hold to the engagements of the Treaty of London; but in regard to the rights of the Duchies they were determined to enforce the fulfilment of the engagements taken by Denmark in 1851 and 1852.

With respect to the question of Succession, Baron Schrenk observed that Bavaria was in a better position than those German States which had adhered to the Treaty. The Bavarian Government did not prejudge the question; they were thoroughly impartial, and had no predilections in favour of either of the parties claiming the sovereignty. They viewed the matter as a simple question

of right, to be decided by the Diet. If, said Baron Schrenk, the King of Denmark can produce a formal renunciation of rights by all the Agnates we shall raise no obstacles to his Succession; but as yet neither the brother of the Duke of Augustenburg, nor his son Prince Frederick have, in our opinion, formally and legally pronounced their renunciation, and consequently their rights must be held as valid. He added that Bavaria would recognize neither party until the Diet had fully examined their respective claims.

His Excellency here corrected the doubts he had expressed to me on a former occasion as to the validity of the rights of Succession of Prince Frederick of Augustenburg in consequence of the marriage of his father. He had since learned that thirty-two marriages of a similar nature had taken place in the Oldenburg family, which, not being in contravention of the Family Statutes, had been recognized as valid.

As regards the Duchy of Lauenburg, Baron Schrenk stated that there could be no doubt that the King of Denmark was the rightful successor; that Duchy having been exchanged by Prussia for Pomerania and the Isle of Rügen, was finally given up by Sweden to Denmark as a compensation for Norway.

I took this opportunity to state to Baron Schrenk that Her Majesty's Government consider that they have no other course to pursue than to observe faithfully the engagements which Her Majesty has contracted by the Treaty of the 8th May, 1852, and to acknowledge, in the contingency therein specified, His Highness the Prince Christian of Schleswig-Holstein-Sonderburg-Glücksburg as in right succeeding to the whole of the dominions then united under the sceptre of His Majesty the King of Denmark.

I have, &c.
(Signed) AUGUSTUS LOFTUS.

Inclosure in No. 379.

Précis of an Address to the King of Bavaria.

THE Address to His Majesty the King is in the following sense:—

Most High and Mighty King!

At a moment when the liberty and rights of a sister country are more than ever threatened, and when the right of Germany to the same country is being contested, the eyes of the German people are turned on your Majesty, to whose wisdom and determination it was owing that, in 1852, the Diet was prevented from accepting the fatal London Protocol.

We, the Undersigned, loyal citizens and inhabitants of your Majesty's loyal town of Bayreuth, humbly beg that your Majesty will lend your hitherto strong support and protection to the rights, honour, and interests of Germany, and recognize the Prince Frederick of Augustenburg as the lawful Duke of Schleswig-Holstein.

It is our firm conviction that such a declaration expressed by your Majesty in the Council of the Princes would have the greatest weight in the balance, and we hereby declare that, should any great difficulties arise, we are ready to stand by your Majesty in the hour of danger.

The people of Bavaria have no greater wish than for the happiness of their dearly beloved King and Master, and it is their earnest prayer for the safe return of your Majesty into the midst of your loyal subjects, there to be nearer and better able to watch over the march of events. God bless and keep your Majesty.

We remain, &c.
(The Citizens and Inhabitants of the Town of Bayreuth.)

No. 380.

Sir A. Paget to Earl Russell.—(Received December 8.)

My Lord, *Copenhagen, December 2, 1863.*

IN order to omit no effort to give effect to the instructions I received from your Lordship; and two verbal communications which I had made to M. Hall, respecting the withdrawal of the Patent of the 30th of March not having produced that result,

I addressed a note to his Excellency on this subject on the 1st instant, and have the honour to inclose a copy of it herewith.

The motives referred to in the note as having been given me by M. Hall why this step should not be taken at the time I spoke to him, have been already explained in my previous despatches.

In an interview I had with his Excellency to-day, he informed me that he intended to propose the revocation of the Patent in the Council to be held to-morrow.

As the negotiations with Baron Plessen, Count Moltke, and Count Reventlow-Criminil have failed, M. Hall is obliged, temporarily, to resume the Ministry for Holstein; and I understand that a Proclamation to that Duchy will be issued at the same time that the Patent is recalled.

I have, &c.
(Signed) A. PAGET.

Inclosure in No. 380.

Sir A. Paget to M. Hall.

M. le Ministre, *Copenhagen, December* 1, 1863.

IN compliance with instructions from Earl Russell, I had the honour to inform your Excellency, in our interview of the 26th ultimo, that it was the decided opinion of Her Majesty's Government that His Majesty the King of Denmark should at once revoke the Letters-Patent of the 30th of March last; that His present Majesty ought to have no difficulty in doing this, and that it should be done without delay.

In an interview I had with your Excellency two days later I renewed this representation.

While respecting the motives which your Excellency then assigned to me for not acting immediately upon this advice, I cannot but deprecate any further delay in a matter which every day becomes more pressing; and it is therefore in the hope that your Excellency will consider it expedient to counsel His Majesty to be pleased to adopt at once the course suggested by Her Majesty's Government that I venture to bring it again under your Excellency's notice.

I avail, &c.
(Signed) A. PAGET.

No. 381.

Sir A. Paget to Earl Russell.—(Received December 8.)

(Extract) *Copenhagen, December* 2, 1863.

I STATED in my despatch of the 25th of November* that I had received the assurance from M. Hall that in the event of the Execution being carried out on its original grounds, he would be prepared to recommend to the King that it should not be opposed by force in Holstein. The essential condition to the maintenance of these grounds was of course the acknowledgment by the Diet of the King's authority in the Duchy, but as this authority has been denied by the exclusion of His Majesty's Representative from the Diet, it is difficult to understand how an Execution, as such, can any longer be effected in Holstein.

The object and meaning of a Federal Execution is to oblige the Sovereign of the territory in which it takes place to fulfil his Federal obligations; to be legally and properly carried out, a last summons must be addressed to the Sovereign to comply with them, and a warning be given to him that unless he does so within a week which is allowed for further reflection, troops of the Confederation will enter his dominions, and administer them in the name of the Federal Assembly. But, if the Diet does not acknowledge the right of the Sovereign to the possession of his dominions, to whom is the summons of the Diet to be addressed, and by whom are the requirements of the Diet to be fulfilled? It seems, therefore, to be a logical conclusion that if the Diet disputes the sovereignty of the Prince, and at the same time takes possession of his territory, such an act, by the proceedings of the Diet itself, is divested of any legal character, and at once assumes the proportions of a hostile invasion. Whether in the present instance it will be resisted as such by

* No. 309.

His Danish Majesty is a point which I do not believe to be as yet definitively decided upon, and upon which, until I receive the instructions of Her Majesty's Government, I shall feel it my duty to abstain from giving any opinion whatever to the Danish Government; but should it be determined to oppose the invasion, the King of Denmark will only be acting in defence of his rights, which were acknowledged by an European compact, and from the obligations of which no amount of sophistry or special pleading can absolve the German Governments.

Whatever may have been the failings of the Danish Government respecting the fulfilment of the arrangements agreed upon with Austria and Prussia in 1851 and 1852, they can have no possible bearing upon or connection with the question of Succession in the Danish Monarchy as it was constituted at the signature of the Treaty on the 8th of May, 1852. Neither in the Treaty itself, nor in any act or note or Protocol appended thereto, is there one word which refers in the remotest degree to previous negotiations with the Danish Government. The proposed arrangements respecting the Succession which were communicated to Viscount Palmerston by Count Reventlow in a note dated the 8th of September, 1851, were equally communicated to the Governments of Austria and Prussia. Did these Governments make their adherence to the proposed arrangements dependent on the fulfilment of any particular agreements into which the Danish Government had entered? There appears to be no record of any such condition in connection with the Treaty. Did the smaller Courts of Germany, including Saxony, Hanover, Wurtemburg, make any reserves in adhering to the Treaty of London, or accompany their accession to it by a stipulation for the fulfilment of any preconcerted arrangements? So far from this being the case, they one and all, as your Lordship will perceive by the copies of the answers which were returned by M. de Beust, M. de Schele, and Baron de Neurath, to the invitation of the Danish Government to accede to the Treaty, and which I have extracted from the "Europe" of the 30th ultimo, declared in the most unambiguous and forcible terms, that their Sovereigns associated themselves, with the highest satisfaction, in an act which had been considered by the Great Powers as essential to European equilibrium, and as assuring the maintenance of the integrity of the Danish Monarchy, in which they professed to take the greatest interest. When, therefore, these Courts, through their Ministers at the Diet, vote, as was the case at the last sitting, for the exclusion of the Danish Envoy, and thereby call in question the title of King Christian IX to the Duchies of Holstein and Lauenburg, they manifestly place themselves in direct contradiction with their Treaty engagements, without there being any reason to excuse or palliate their doing so. Their adherence to the Treaty was unconditional; the Treaty is an European Act, the carrying out of which cannot be influenced by private considerations or arrangements. Austria and Prussia, it is true, have not as yet gone quite so far as to denounce their engagements; but it is impossible to believe that if they were acting in good faith and sincerity, these powerful Governments could not so have employed their influence at the Diet as to ensure the decision taken by that Body being in accordance with the tenour of the Treaty which they have signed.

Had such a result taken place, there can be no doubt that the situation would have been far less serious than it is at present, for the Execution might then have been carried out without necessarily leading to hostilities. By adopting a contrary course, however, the Diet has reduced the King of Denmark to the alternative of tamely submitting to an usurpation of his authority in his own dominions and to a sequestration of his States, or of resisting the aggression by arms.

The Diet, it is true, has not as yet openly recognized the Prince of Augustenburg, but it has taken the first step towards doing so, by refusing to recognize King Christian as the legitimate successor in the Duchies, and the consequence of this has been to increase very considerably the irritation already existing in this country, and to diminish very materially the chances of peace.

"By the exclusion of the King's Envoy from the Diet," it is argued, "Holstein and Lauenburg are thereby excluded from the Confederation, and there is therefore but one course open for His Majesty to pursue. He must state to the whole world that in regard to Holstein and Lauenburg he has been excluded from the Confederation into which he entered in 1814, and that, consequently, he is about to incorporate these provinces as integral parts of his Danish Kingdom, to be governed solely in accordance with his Sovereign will, as was the case in 1806, after the dissolution of the German Empire.

"If Germany declares war, Denmark will reply that the responsibility of it is not attributable to her; for it is impossible for the King any longer to form part of an association where he is exposed to be treated as an outlaw—impossible that he can support that the Confederation, of which he is a member on an equality with other Sovereigns, should arrogate to itself the right of regulating his position as an European Prince."

Such is the language now held here.

Denmark is bound, of course, to fulfil her engagements in the measure of what is possible; but it would be well for those Governments who are so loud in their declamations against her, if their own conduct and motives of action were more free from suspicion.

Denmark has undoubtedly adopted several measures at variance with former engagements, and there is much to be said respecting the system of administration in Schleswig, but there has been nothing in her conduct to equal the unfair policy pursued by Germany. At last a general crusade appears to be determined on for the purpose of dismembering the Danish Monarchy, and of vindicating, in the face of Treaty engagements, the claims of a Prince whose father forfeited his property and estates by an act of high treason against the Crown of Denmark, but to whom His Danish Majesty, in his generosity, accorded the sum of 3,000,000 dollars, on receiving which the Duke of Augustenburg entered into the most solemn engagement for himself, and on the part of his family, for ever to refrain from endeavouring to disturb in any way the arrangements which might be made respecting the Succession in the Danish Monarchy.

Before the Prussian Government became a party to the Treaty of 1852, Baron Manteuffel employed a jurisconsult of eminence, Dr. Pernice, to inquire into the claims of the Duke of Augustenburg to the Succession in the Duchies, and the Report which he drew up was published in September 1851. I have the honour to inclose a copy of it herewith, together with a translation (by Mr. Scott) of the conclusions, by which your Lordship will perceive that Dr. Pernice gives it as his opinion, for the reasons therein stated, that the Duke of Augustenburg ought to be dispossessed of all title to succeed to either the whole, or any part whatever, of the Duchy of Holstein. This paper has, of course but a relative value now, because, whether the Augustenburg claim was originally good or bad, the question of Succession was disposed of by the Treaty; but as the whole of Germany now appears disposed to rise up in arms in defence of the claim, it may be of interest to examine the cause for which the peace of Europe is to be broken, and Dr. Pernice's Report, in conjunction with the Duke of Augustenburg's Renunciation above alluded to, of which I have already furnished your Lordship with a copy, afford sufficient materials for this purpose.

But in the absence of any legal title of the Augustenburg family, it might at least be supposed that before Germany took up arms in their cause, there should be some demonstration in their favour on the part of the Duchies themselves. Neither in Holstein, however, nor in Schleswig, has such been the case. In Schleswig all the public functionaries of every class have already sworn allegiance to the King; in Holstein the only exceptions have been among the Advocates and Professors of the University of Kiel. There has been not the slightest attempt at movement in either Duchy; and the men of the greatest weight, consideration, and importance in Holstein—Baron Charles Plessen, Count Reventlow-Criminil, Count Blome—have already been to Copenhagen to pay homage to their legitimate Sovereign. It is true that the negotiations with Baron Plessen and Count Criminil respecting the Ministry for Holstein have failed, through considerations connected with the political situation, not from any doubts on the question of allegiance, and their presence at Copenhagen is a proof of this.

As, therefore, the claims of the Augustenburg family have neither any legal foundation nor any sympathy on the part of the population of the Duchies, we must seek elsewhere for the motives and object which put all Germany in movement. One of my German acquaintances observed the other day to one who reported it to me, that no sacrifice, no concession, no fulfilment of engagements on the part of the Danish Government could now satisfy the German Governments, nor arrest the movement in Germany; that what Germany looked to and was determined on obtaining was the dismemberment of the Danish Monarchy, in order to place the Duchies of Schleswig and Holstein, with the ports belonging to them, in the hands of a Prince (be he who he may) devoted to the interests of Germany. This is the saying of an individual, but your Lordship may rely upon it that it faithfully represents the feelings and intentions of the millions who are now vying with each other in enmity to this country; and it is for Her Majesty's Government to consider whether such a consummation is desirable in the interests of Great Britain.

P.S.—I send this despatch by this evening's post, under flying-seal, to Her Majesty's Ambassador at Berlin.

Inclosure 1 in No. 381.

Extracts from the "Europe" of Frankfort, November 30, 1863.

M. de Beust to M. de Bluhme.

Dresde, le 9 *Décembre,* 1852.

LE Soussigné, Ministre des Affaires Etrangères de Sa Majesté le Roi de Saxe, s'est empressé de soumettre au Roi son auguste Maître la note en date du 11 Novembre passé, par laquelle M. le Ministre des Affaires Etrangères de Sa Majesté le Roi de Danemark, d'après les ordres de sa dite Majesté Danoise, a invité le Gouvernement Royal de Saxe à accéder au Traité signé à Londres le 8 Mai de l'année courante entre le Danemark d'une part, et l'Autriche, la France, la Grande Bretagne, la Prusse, la Russie, et la Suède et Norvège de l'autre part, concernant les arrangements relatifs à l'ordre de Succession éventuelle dans les Etats actuellement réunis sous le sceptre de Sa Majesté Danoise.

Sa Majesté ayant pris connaissance de ces arrangements, ainsi que des stipulations destinées à en garantir la stabilité, se plaît à reconnaître la sagesse des vues et la sollicitude pour les grands intérêts politiques de l'Europe dont les Hautes Parties Contractantes ont donné, dans cette circonstance, un nouvel et éclatant témoignage.

Animé de ces sentiments, Sa Majesté veut bien se prêter au désir manifesté par ses hauts alliés et croire que les intérêts bien fondés de Sa Majesté Royale n'y mettent pas obstacle. Ces intérêts ayant principalement rapport aux droits éventuels de Succession appartenant à la branche Albertine de la Maison de Saxe sur le Duché de Lauenbourg pour le cas où la Maison de Brunswic-Lunebourg se trouvent en 1697 en possession du dit Duché viendrait à s'éteindre, il ne s'agit en effet que de droits éventuels, mais qui ne sauraient être altérés par le Traité du 8 Mai passé.

C'est dans cette supposition et sous la réserve de ces mêmes droits éventuels que le Gouvernement du Roi, sans prétendre au reste anticiper sur les résolutions que la Confédération Germanique par l'organe de la Diète pourrait être amenée à prendre dans cette question, n'hésite pas à déclarer son assentiment au Traité signé à Londres le 8 Mai passé, et à s'associer ainsi à une combinaison servant à maintenir l'intégrité de la Monarchie Danoise, et à assurer en même temps la conservation de la paix générale.

Le Soussigné, &c. (Signé). BEUST.

M. de Schele to Baron Dirckinck-Holmfeld.

Hanovre, le 18 *Décembre,* 1853.

LE Soussigné, Président du Conseil des Ministres et Ministre des Affaires Etrangères de Sa Majesté le Roi de Hanovre, a eu l'honneur de recevoir la note par laquelle M. le Baron de Dirckinck-Holmfeld a bien voulu lui communiquer le Traité conclu à Londres, le 8 Mai, 1852, et inviter le Gouvernement du Roi son auguste Maître à y acceder.

Le Soussigné n'a pas tardé à porter cette importante communication à la connaissance du Roi, qui, après en avoir fait l'objet d'un examen tout consciencieux, l'a autorisé à signer en son nom un Acte d'Accession.

Le Soussigné, en même temps qu'il a recours à l'obligeant intermédiaire de M. le Baron de Dirckinck-Holmfeld pour faire parvenir au Gouvernement de Sa Majesté le Roi de Danemark l'Acte d'Accession ci-joint, a l'honneur d'accompagner cette communication des observations suivantes : —

C'est avec une véritable satisfaction que le Roi, qui de tout temps a prêté une vive attention à l'ordre de Succession en Danemark, a puisé dans le Traité de Londres la certitude de ce qu'une question qui, dans l'état d'incertitude où elle se trouvait antérieurement, pouvait compromettre l'équilibre Européen et menacer jusqu'à la paix générale, a été tranchée en définitive, par les Résolutions de Sa Majesté le Roi de Danemark et par l'unanimité des Puissances appelées à régler les destinées de l'Europe. Sa Majesté le Roi, fort aimable au procédé amical des Grandes Puissances, ne saurait vouloir rester en dehors de la volonté Européenne. Au grand acte qui vient de s'accomplir à Londres, elle s'associe donc pour des raisons d'autant plus légitimes que les droits et les obligations réciproques de Sa Majesté le Roi de Danemark et de la Confédération Germanique, droits et obligations qui ont de si justes titres à la sollicitude des Gouvernements Allemands, se trouvent, en vertu des dispositions de l'Article III du Traité, expressément sauvegardés et munis d'une nouvelle garantie solennelle.

Aussi le Roi, désireux de reserrer de plus en plus les rapports de bonne intelligence qui subsistent si heureusement entre les Royaumes de Hanovre et de Danemark, s'est-

il prévalu avec plaisir de cette favorable occasion pour donner à Sa Majeste le Roi de Danemark, son auguste allié et voisin, un nouveau gage de sentiment d'inaltérable amitié qu'il aime à lui porter.

Le Soussigné prie M. le Baron de Beckinck-Holmfeld de vouloir bien lui accuser la réception de cette note, et d'agréer, &c.

(Signé) DE SCHELE.

Baron de Neurath to M. de Bluhme.

Stuttgardt, le 25 Novembre, 1852.

PAR office en date du 11 de ce mois son Excellence M. de Bluhme, Ministre des Affaires Etrangères de Sa Majesté le Roi de Danemark, a bien voulu communiquer au Soussigné une copie du Traité conclu à Londres le 8 Mai, dans le but d'assurer l'intégrité de la Monarchie Danoise, entre le Plénipotentiaire de Sa Majesté le Roi de Danemark d'une part, et les Plénipotentiaires d'Autriche, de Prusse, de Russie, de France, d'Angleterre, et de Suède et Norvège d'autre part, touchant l'ordre de Succession éventuelle dans les Etats de Sa Majesté le Roi de Danemark.

En même temps M. de Bluhme a invité au nom de son auguste Souverain, et par suite de la stipulation de l'Article IV du dit Traité, le Gouvernement de Sa Majesté le Roi de Wurtemberg à y faire accession.

Le Soussigné s'est empressé de porter cette communication à la haute connaissance du Roi son Maître, et vient d'être chargé par Sa Majesté d'informer M. le Ministre des Affaires Etrangères de Sa Majesté le Roi de Danemark qu'il ne peut pas entrer dans les intentions du Gouvernement Wurtembergeois de faire des objections au dit Traité, dont les stipulations viennent d'être ratifiées par les grandes Puissances de l'Europe, comme étant nécessaires au maintien de l'équilibre politique et de la paix de l'Europe et que le Gouvernement du Roi, se rendant à l'invitation qui lui a été adressée et au désir exprimé par Sa Majesté Danoise déclare son accession à ce Traité.

Le Soussigné en s'acquittant par le présent office des ordres de son auguste Souverain, y joint l'expression des vœux sincères pour que la prospérité des Etats de Sa Majesté Danoise soit affermie par le nouvel ordre de Succession que le dit Traité vient d'établir, et il saisit, &c.

Le Ministre des Affaires Etrangères de Sa Majesté le Roi de Wurtemberg,
(Signé) BARON DE NEURATH.

Inclosure 2 in No. 381.

Summary of Legal Opinion.

(Translation.)

IT seems necessary in closing the opinion given above, to sum up the convictions, subject to correction, derived from a strict and legal investigation, so as to establish, First, That on the extinction of the male branch of the Royal Danish direct line of the Holstein-Oldenburg House, now reigning in the Duchy of Holstein, the Princes of the Sonderburg collateral line now living should be refused all right of succession in consequence of a default of "Ebenbürtigkeit" ("equality of blood"); and, Secondly, That, taking into consideration the different territorial divisions of Holstein, these Princes should also be refused all title to Succession, namely, in respect of the Manor ("Herrschaft") of Pinneberg and of the county of Rantzau, in consequence of a certain claim founded in law; in respect of the Duchy of Ploen, in consequence of their having ceded all title to the same in favour of the successor to the Danish Monarchy; but in respect of the district formerly Royal, and formerly Ducal, in consequence of the voluntary surrender (by discontinuing the observance of the "Gesammte Hand,"* of the Law of Succession which had prevailed in accordance with the feudal position of Holstein; but, Thirdly, That no legal difficulty would arise from the collective action of all the members of the Holstein-Oldenburg House, directly called to the Succession in question, and accordingly duly qualified in the requisite respects in removing any deficiency of title, as well as establishing an unimpeachable title of Succession for one of the Princes of the Sonderburg collateral line who should be henceforth considered competent to succeed.

(Signed) DR. PERNICE.

Berlin, September 30, 1851.

* The Law of the "Gesammte Hand" admitted females to the Succession.

No. 382.

Sir A. Paget to Earl Russell.—(*Received December* 8.)

My Lord, *Copenhagen, December* 3, 1863.

M. DE BISMARCK having recently referred in the Prussian Chambers to a speech of M. Bluhme's in the Danish Rigsraad respecting the new Constitution, I have the honour to inclose herewith a translation of M. Bluhme's speech, together with the reply made by M. Hall.

I have, &c.
(Signed) A. PAGET.

Inclosure in No. 382.

Extract from Report of Debate in the Rigsraad, on November 3, 1863.

(Translation.)

M. BLUHME stated his reasons for voting against the Bill. The basis of the position of the Monarchy in Europe is the Ordinance of January 28, 1852, which was accepted by our opponents as well as by those who appeared as mediators in our dispute. The Ordinance formed the basis of the Treaty of London of 8th May, 1852, as well as of the Federal Resolution of 29th July of the same year. The Treaty of London, which was based upon the Ordinance, expressed as its object in view the maintenance of the integrity of the Monarchy, adding, that this was of importance for the balance of power in Europe. But the Treaty had thereby in view the necessity of keeping together the union of countries which for centuries had been subject to the Danish sceptre, and he must ask whether it is consistent with this integrity that the power of this union should be considerably reduced, or that the power of the King over one of the portions of the country, namely, Holstein, should be limited. This will be the case when a separation of Holstein takes place, and if the contracting Powers at that time had had an idea of such a separation the preservation of the Danish Monarchy would most likely have not in their opinion been considered so important for the balance of power in Europe. Had the Government, when Germany in 1856 renewed their dispute, instead of only protesting, maintained the basis of 1852, we should now have a safe foundation to build upon; but it is to be regretted that the Government yielded by issuing the Patent of 6th November. 1858, instead of firmly fulfilling the engagements already entered upon, and on the other hand maintaining also our rights. We might then have expected assistance from without. Nevertheless, the Government preferred to separate the Holsteiners from the Rigsraad. This new position was, however, by them declared a temporary one; but now the Government will entirely set aside that basis. This will not lead to unity, but to the dismemberment of the Monarchy; this will not maintain the sovereign power of the King, but will open a door to foreign influence, which in a great measure may reduce the power of Denmark. He does not see how this new Constitution can be maintained, and he is not aware that it has been accepted by the Powers with whom we have formerly negotiated. The President of the Council has laid great stress upon the approval of the Bill, and said that it would improve our position; but he (M. Bluhme) does not share this conviction, and there has not on the part of the Ministry been given any reasons which would induce him to share it. The approval of the Bill would not put an end to the complaints from abroad with respect to the Ordinance of 30th March of the present year, neither does he know whether Schleswig will be satisfied with the new order of things, or whether the parties guaranteeing the Treaty of London would join in disapproving the suppositions upon which it has been based. The Ministry, however, has said that the Bill had not in view the incorporation of the Duchy of Schleswig, but he (M. Bluhme) will still leave it to the discretion of every one whether such objection might not easily be raised even by the friendly Powers, who at all events may well have a doubt whether the Government, after the approval of the Bill, would be able to resist the demand of an incorporation. The foreign Powers will then, when a separation of Holstein has taken place, insist upon the separation also of the Duchy of Schleswig, to which an equal position in the Monarchy is guaranteed. Under these circumstances, it is his (M. Bluhme's) duty to advise the Ministry, even at the eleventh hour, to stop before they take the decisive step.

The President of the Council was of opinion that the great alterations which of late had taken place in the political world now demanded that the Governments should take due notice of them. The Government could not agree with the opinion that the present step would lead to any dismemberment of the State. M. Bluhme has advised the Government to withdraw the Bill. He (the President) regretted that M. Bluhme did not at an earlier period make the objections which he had this day commenced. He (the President) is of the opinion that the basis of the Ordinance of 28th January, 1852, might be deviated from, and that M. Bluhme must acknowledge that the said Ordinance specially contained promises with respect to designs which the King would endeavour to realise. M. Blühme, while Minister for Foreign Affairs, had himself asserted, that the said Ordinance had in view certain eventualities which, according to his own words, were "that the Confederation should not act in contradiction with the rights they had *vis-à-vis* a Federal Prince, and first of all they should not interfere in the internal affairs of the Duchy of Schleswig;" adding in a circular despatch to the foreign Powers, "that it would be an impossibility to establish the order intended if the eventualities were not fulfilled, and that in such case the position of Holstein towards the other portions of the country would suffer, while these latter would thus be more closely united." He (the President) did not know how M. Bluhme had understood the Ordinance of 28th January. In his opinion the Confederation had not kept within their limits, but interfered in the affairs of Schleswig. M. Bluhme was wrong in now blaming the Government, as it was himself who left the door open through which the Confederation from the commencement has entered. It must be said, and repeated, that the Confederation from the commencement have declared that had there been no omission in the Constitution, with respect to which they could refer to Article LVI of the concluding Act of Vienna, they would never have interfered in our affairs. He does not blame M. Blühme for what he has done as Foreign Minister, but he blames him because he, in spite of facts, finds faults with the present Government for not having refused the demands of the Confederation. And, according to the said Article in the Federal Law, the Confederation has right to annul any Constitution which has not been constitutionally established in a Federal country, and it was in virtue of this right that the King through the Patent of 6th November, 1858, considered himself bound to annul the Constitution with respect to the Duchy of Holstein. All Powers, without exception, encouraged the present step, and it met with general approbation. If the question arises, whether the foreign Powers have acted right as regards the latter proceedings of the Confederation, then it must be said that another course might have been desirable, especially on those points where the Confederation evidently exceeded their competency. M. Blühme knows best himself the reason why the Confederation has acted differently towards the King of Denmark and the other members of the Confederation and what has caused the friendly Powers strongly to advise the Government not to object to the demands of the Confederation as long as they were limited to the Duchy of Holstein. These counsels have not, however, been followed without reflection; they were first accepted when necessity compelled it. The Government have now come to the conclusion that a more thorough separation than hitherto must take place between the Federal portions and the non-Federal portions of the country, and thus arrive at a speedier settlement with Holstein; and by simply showing that the non-Federal portions have strength to maintain a free and independent existence, and by resisting any interference in the affairs of these portions of the country, the Government will obtain the result that no further demands will be made from abroad, and especially not by the German Confederation, while the other Powers will acknowledge that such interference is the only hindrance to a reconciliation with Holstein. He cannot guarantee that the present Constitution will meet the approval of the Powers, but he does not believe that it will meet with difficulties. He concludes with the expression that any Cabinet who might be called upon to conduct the affairs of Denmark at the proposed Congress will gain strength by this fact, viz., that by this Fundamental Law the independence of the non-Federal portions of the country is maintained and they will find in it a powerful support for the legal claims of the Kingdom of Denmark.

M. Bluhme acknowledged that his earlier opinion might have induced the Government to adopt the present course, but the question is, if it would not be wisest to adhere to the letter of the Ordinance. He would further add, that the Confederation in 1858 only demanded a revision of the Constitution, but by no means the

entire repeal of it as regarded Holstein. Such a revision could, according to his opinion, be effected without affecting the dignity of the King.

The President of the Council confirmed the statement that the demand of the Confederation in 1858 only had in view a revision of the Constitution, but that this was to take place in the States of Holstein, consequently the Government could not agree to it; but the Government, nevertheless, have not failed to offer to the said States a good opportunity to express their opinion with respect to the alterations they might wish in it. The reply to this offer is well known.

M. Bluhme thought that the revision was to take place in the Rigsraad, of which the Holsteiners in 1858 were still members.

The President of the Council meant to say that M. Bluhme, at the time he was Minister, had himself objected to such revision.

No. 383.

Lord Bloomfield to Earl Russell.—(*Received December* 8.)

My Lord, *Vienna, December* 5, 1863.

COUNT RECHBERG replied yesterday in the Reichsrath to the interpellation addressed to the Imperial Governments in regard to the affairs of the Danish Duchies.

His Excellency prefaced his statement by a declaration that Austria and Prussia were agreed as to the policy which should be pursued in this question, and the views to which he was about to give expression might, therefore, be regarded as those of both the Great German Powers.

With regard to the main question, Count Rechberg said that, although the Convention of the 8th of May, 1852, was binding upon the Powers which had signed and those which had adhered to that instrument, it must be remembered that a long series of negotiations relative to the Constitutional position of the Duchies of Schleswig, Holstein, and Lauenburg, in the Danish Monarchy, had preceded the Convention, and it was only after the Danish declarations made in December 1851 which were considered satisfactory as assuring the national right of the Duchies that Austria had consented to become a party to that Treaty. If Denmark, therefore, asked for the fulfilment of the Treaty of London at the present moment Austria and Prussia were justified in calling upon Denmark first to give effect to the declarations made by her which preceded the Treaty, and were, indeed, the grounds upon which the German Powers had assented to it.

Referring, then, to the failure of Denmark to make good her declarations, and to the Constitution recently sanctioned by the King, his Excellency proceeded to say that an immediate Execution on the part of the Diet had become necessary, but that this measure need in no wise prejudice or prejudge the separate question of the Succession, which should be reserved for special consideration. The Austrian Contingent in support of the Executionary forces would, he said, be ready to advance to the Lower Elbe on the first intimation from Frankfort that their co-operation was required.

His Excellency then expressed a hope that the German Powers would recognize in the steps about to be taken a vindication of the national rights, and that foreign Powers would admit the justice of the measure, so that the Execution would not endanger the general peace.

With respect to the question of the Succession, Count Rechberg said that the Imperial Government could not sanction any hasty and violent measures in regard to it. The question was complicated and obscure, for if this were not the case, and the right of the Dukes of Augustenburg to succeed to the whole Duchies of Schleswig and Holstein were not doubtful, the Treaty of London would never have been concluded. As far as the question was a purely judicial one, the Diet should consider it calmly, and abstain from any premature measures against the *de facto* possessor of the Duchies; and as far as the political position of the Diet as an European Power was concerned, it behoved it to examine the pretensions it was asked to support, and not to confound patriotic desires with positive rights. At the same time Count Rechberg explicitly guarded himself against a prejudgment of the points at issue, with the exception that in regard to the Duchy of Lauenburg he admitted that its connection with the Danish Crown could not be

called in question. His Excellency then warned the House against the serious aspect which this controversy might assume, and declared that if the question of the Succession was to be judicially decided by a consideration of the various claims which the Treaty of London had set aside, it was by no means clear that that decision would not prove injurious to the political interests of Germany.

In conclusion, Count Rechberg remarked that the Acts of Renunciation which preceded the Treaty of London and the Danish Law of Succession of 1853, were made with the special view of keeping the various parts of the Danish Monarchy united under the sceptre of King Christian IX, and that if this object were partially frustrated, the whole question of the Succession to the Danish Throne would be once more re-opened. He also called attention to the fact that the eventual claims of the Princes of Augustenburg extended to the countries reigned over by the House of Oldenburg, and remarked that Germany might possibly find herself "rushing into a general war, only that a Duke of Augustenburg, in the place of a Duke of Glücksburg, should reign over the Danish Monarchy." His Excellency repeated that he attached the utmost value to the co-operation of Austria and Prussia in this question, and ended by saying that the Imperial Government, while determined to respect the law and existing Treaties, was not the less determined to defend with all their power the interests of Germany and those of German populations in the North, as far as those interests were compatible with justice.

I have the honour to inclose herewith the text of Count Rechberg's speech, of which the foregoing is a brief abstract, and to accompany it with a translation by Messrs. Mounsey, Harriss, and Barrington.

I have, &c.
(Signed) BLOOMFIELD.

P.S.—I transmit herewith, in original, a Report of the debate which ensued in the Reichsrath upon Count Rechberg's speech, and will forward a translated précis of the same as soon as it can be prepared.

B.

Inclosure in No. 383.

Statement made by Count Rechberg in the House of Deputies, December 4, 1863.

(Translation.)

IT is known to this Assembly that the Federal Execution was just about to be made in Holstein when the death of King Frederick VII gave to the German-Danish dispute the character of a serious European complication. A question involving territorial Succession arose unexpectedly just at the moment when the German Diet, by a military occupation of Holstein and Lauenburg, was going to make good its rights, which for the last ten years have been persistently disregarded by the Danish Government.

Both German great Powers were similarly placed in regard to this new phase, and the Imperial Government felt it to be of primary importance that Austria, in her capacity of member of the Confederation as in that of an independent Power, should not act in this matter otherwise than in the fullest accord with Prussia.

To my satisfaction I am able to state that the views of the Prussian Government agreed with our own, and I may add that it is the common resolution of Austria and Prussia to abide by the following essential points.

The Treaty concluded at London on May 8, 1852, between Austria, France, Great Britain, Prussia, Russia, and Sweden on the one side, and Denmark on the other, and ratified by His Majesty the Emperor on the 24th of the same month, to which several other Governments, amongst them some German ones, formally acceded, imposed upon all the participators in it positive international obligations. In their capacities as European Powers Austria and Prussia can certainly not be relieved, without further question, from these obligations, from the mere fact of the German Diet not having been invited to accede to the London Treaty.

They cannot in their deliberations at Frankfort contravene the principles with regard to Denmark which they adopted in common with nearly the whole of Europe. The true state of the Treaty relations between the German Powers and Denmark is not, however, to be judged solely by the London Compact. A long series of negotiations on the subject of the Constitutional position of the Duchies of Schleswig-Holstein and Lauenburg in the Danish Monarchy had preceded this compact.

In these negotiations Austria declared most positively that she would only be disposed to join in an European sanction of the integrity of the Danish Monarchy, and in a guarantee thereof in the shape of an hereditary Succession to all its component parts, when the German Powers should have received those assurances which they deemed it fair and just to demand for the maintenance of the rights of Germany and the Duchies, and for the preservation of the German nationality. It was only when Denmark, in December 1851, had bound herself to contract these promises, that Austria and Prussia offered to join in the London negotiations, which were concluded by the Treaty of May 8, 1852. Article III of this Treaty merely contains a general reservation that the mutual rights and obligations touching the Duchies of Holstein and Lauenburg, which arise out of the Federal Pact of 1815, and out of existing Federal privileges, shall not be affected by the Treaty. No mention is here made of the stipulations of 1851. They are not laid down as an express condition in the London Treaty, which bears the signatures of so many other Powers who are in no wise concerned in the Constitutional question of the Danish Monarchy. But, as has been already said, they nevertheless imply the provisions under which the German Powers consented to the London Treaty. Taken in conjunction with this Treaty they form a complete contract ("ein Ganze") for the relations between Germany and Denmark, and the Imperial Government is therefore of opinion that if Denmark cites the London Treaty against Austria and Prussia, Austria and Prussia are fully justified in replying that Denmark must first fulfil the provisions on which the Treaty obligations appealed to undoubtedly rest.

This phase of the question has now occurred. Already during the reign of King Christian IX's predecessor, the Court of Copenhagen had, as I mentioned before, exhausted the patience of Germany, and unfortunately the new Sovereign has, notwithstanding the most urgent counter-representations, and notwithstanding many warning voices, which even in the Danish Diet have not failed to make themselves heard, commenced his reign by a formal rupture of the Agreements of 1851. Under these circumstances Austria and Prussia have declared themselves in favour of the suspension of the Holstein vote at Frankfort, and they are of opinion that in view of the open provocation to which it has been subjected, the Confederation is bound to carry out without delay the Execution already agreed upon. And the objection that this measure involves a recognition of the legality of King Christian IX's reign in Holstein and Lauenburg appears to them likewise untenable, because an express reservation as regards the examination of the Succession-question can without difficulty be attached to the decree of Execution. They have repeatedly and urgently recommended the adoption of such a measure.

Moreover the Imperial Government, being convinced that in order duly to carry out the Execution, Austrian and Prussian troops will be required to form even the first reserve force, has charged the Imperial Military Plenipotentiary, Major-General Baron Rzikowski, to propose the formation of such a reserve force, and to declare that Austria is ready on the first intimation from Frankfort to march the desired number of troops to the Lower Elbe.

In this state of affairs, the Imperial Government cannot doubt that the German Confederation will now energetically and decidedly put an end to that system, so injurious to the feelings of self-respect of Germans, which has already prevailed too long at Copenhagen, and in the exact and willing fulfilment of their Federal duties, they will do their best to prevent the recurrence of any disregard for those Constitutional rights of the Duchies which are under the protection of the Confederation. The Imperial Government entertains at the same time the conviction that the non-German Great Powers will likewise not refuse to recognize the justice of the demand which the Confederation, in accordance with the Agreement of 1851, is about to exact by force, and that therefore the Execution in Holstein will not endanger the peace of Europe.

But as the Imperial Government has declined all responsibility arising from a further delay in carrying out the Execution, it can and must, on the other hand, declare itself irresponsible for the consequences of a premature and forcible action in the disputed question of Succession. For in this latter question the legal right is not clear and explicit, as in the Constitutional question. The legal right is on the contrary disputed on all sides, and, whatever opinions may be entertained as to the Treaty of London, this at least is certain, that this Treaty would never have been concluded if the Dukes of Augustenburg had possessed a clear and indubitable right of Succession in the whole of Schleswig and in the whole of Holstein. From the point of view of the Confederation, which has not acceded to the Treaty of

London, the Succession question must be subjected to a radical and legal examination. Now, firstly, as regards a formal judicial Tribunal, the competence of which could not however extend beyond the limits of the Federal territory, the decision of such a tribunal must not be prejudiced by any partial proceedings against the actual possessor; 2ndly, as regards the political position which the Confederation, in its character of an integral Power, may assume in a European question, it must first attain the conviction that the cause which it is to defend is a just one, for it is certainly not permissible to confound mere wishes, even when they are the result of the most ardent patriotism, with positive rights. But the more decidedly the Imperial Government acknowledge the right and duty of the Confederation to undertake this examination, so much the more do I consider it my duty carefully to abstain in this House from any expression containing an opinion as to the value of the different claims which may be raised in the event of the non-Execution of the Treaty of London.

Only, as regards the Duchy of Lauenburg, I will remark that its union with the Danish Crown can in no way be considered doubtful. As for the rest I confine myself to calling attention in general to the wide ramification and the great political range of the questions that then arise. Should it come to this, that these questions must be exclusively decided from a legal consideration of the controversy, which, if the London Treaty had never existed, would have arisen out of the various State Papers and international documents referring thereto, then at least no sufficient evidence has as yet been produced to show that in that case the political interests of Germany would not in the end be very injuriously affected.

Before I conclude I must not pass over two points of importance. It is repeatedly said that the Succession of King Christian IX is indeed incontestably legal as regards the Kingdom of Denmark Proper, although not as regards the Duchies. But it is a fact that all the renunciations which preceded the London Treaty of 1852, and the Danish Law of Succession of 1853, and also the sanction of the Danish Diet, only took place for the end and under the anticipation that the different component parts of the Danish Monarchy should remain united under the sceptre of the King Christian IX. If this settlement is overthrown, the whole question of the Danish Succession is again opened.

A second circumstance which cannot be overlooked is this: that the demand so clamorously put forward in Germany for the separation of the Duchies from the Kingdom of Denmark by no means agrees in principle with that legal position to which the Princes of Augustenburg pretend. Both in the protest which the Hereditary Prince of Augustenburg handed in, in 1859, against the Danish Law of Succession, and in the Renunciation which his father hastened to issue on news of the death of King Frederick VII, mention is made not only of the pretensions of Holstein and Schleswig, but also to eventual rights of inheritance to the other countries ruled by the House of Oldenburg. Consequently the possible contingency might occur that Germany should plunge herself into a general war merely in order that a Duke of Augustenburg should govern the Danish Monarchy in place of a Duke of Glücksburg. I repeat that I express no opinion upon any points of the Succession question, but I would only raise a warning voice against any one-sided judgment of them.

To sum up briefly the guiding principles by which the Imperial Government have shaped their course in this important affair, I do not hesitate to declare that they lay the greatest stress upon the united action of Austria and Prussia; that they are firmly resolved in this question, as in all others, to prove their respect for Law and Treaties; and that they are not less firmly resolved to support with all their power the interests of Germany and of the German race in the North, as far as they are compatible with justice.

No. 384.

Mr. Gordon to Earl Russell.—(*Received December* 8.)

(Extract.) *Stuttgardt, December* 5, 1863.

I HAVE the honour to forward herewith a despatch and its inclosure which have just received from Mr. Baillie.

Inclosure 1 in No. 384.

Mr. Baillie to Mr. Gordon.

Sir, *Carlsruhe, December* 4, 1863.

I HAVE the honour to forward herewith translation of an article on the subject of the London Treaty of 1852, which has appeared in the "Carlsruhe Gazette," from the pen of a distinguished German Professor of Public Law, Dr. Aegidi, in support of the view now so prevalent in this country of the non-binding character of that instrument.

I have, &c.
(Signed) EVAN P. M. BAILLIE.

Inclosure 2 in No. 384.

Extract from the "Carlsruhe Gazette."

THE LONDON PROTOCOL BINDS NO ONE.—PERMIT me to characterize the London Treaty of May 8, 1852, from the point of view of public law, and to establish my conviction that it does not bind any of the Contracting Powers. The London Treaty is in its nature confirmatory. The signers pledge themselves in it to confirm by their acknowledgment a legal relation, which appears to them to be salutary. Or, in the words of the Parties engaging themselves, they wish "to conclude a Treaty, in order to give to the arrangements relating to the order of Succession (for the totality of the territories at present united under the sceptre of the King of Denmark) an additional pledge of stability by an act of European acknowledgment."

It is in the essence of confirmatory acts, one-sided, as well as Treaties, that they do not first give legal force to the relation to be established, but on the ground of its own intrinsic validity, merely add to its stability. An invalid law-suit, though confirmed by an oath, is invalid in spite of the oath. The sanctity of the oath is unable to give a validity to the suit which it does not possess.

The object proposed to be attained by the London Treaty is a fixed order of Succession to the so-called Danish Monarchy. If it can be shown that this order has never been legalized in the form of the Law of Succession of July 31, 1853, or at all in fact, it would thereby be established that the Contracting Powers had bound themselves to confirm a relation in itself illegal; and it would follow from this either that the London Treaty, in virtue of its inherent wrong, was null or void, or else, though a thoroughly legitimate compact, that it had missed its end, and was devoid of object. For the compact of the Contracting Powers must either intend to promote through its stipulations the overthrow of international obligations, and thereby establish the principle that a majority of States may arbitrarily dispose of thrones and territories as suits their convenience; or the good intention of supporting a rightful claim upon a country and people by an act of European acknowledgment is proved to be vain, inasmuch as such a rightful claim as has been presupposed, does not at the present time exist.

The order of Succession of July 1853 demands as prerequisites to its legality the renunciation by the next heirs of their claims, the consent of the different Representative Assemblies, the sanction of the German Confederation. The Confederation has not sanctioned it. The consent of the Danish Diet is obtained, and thereby the consent of the Representative Assemblies is acknowledged by the Danish Government to be necessary.

The States of the Duchies have never given their consent. It was not even demanded. The Schleswig States found, indeed, one day on their benches a document, in which the order of Succession happened to be mentioned. It was, however, never regularly laid before them, and was consequently completely ignored. A Constitutional law was laid before the States of Holstein with the intimation that debates and resolutions on the first six paragraphs of the same would be inadmissible. The first section had reference to the order of Succession. Afterwards the German Confederation effected the suspension of the paragraphs 1 to 6: thereby also section 1. Consequently the only reference to the order of Succession which ever reached the Representatives of Holstein. Finally, the renunciations of claims by the next heirs are incomplete. Even protests from them exist. The assertion

of English papers that the abdication of the Chief of a Line binds all the members of the same needs no refutation. The Duke of Augustenburg could not surrender any of the rights of his son, who had obtained his majority, by abdication.

The order of Succession to the Throne of July 31, 1863, is not legalized, because neither have all the next heirs surrendered their claims, nor has the sanction of the German Confederation been obtained, nor the consent of the States of the Duchies been demanded and secured.

Denmark was not unwarned; on the 2nd February, 1861, the Grand Duke of Oldenburg pointed out that the proposed order of Succession had not yet succeeded, not yet become legally valid.

Now it follows from this that the London Treaty, the object of which was to confirm a rightful order of Succession, has no longer any relevancy.

It is not in itself destitute of binding force, but is incapable of being carried into effect.

Though comparisons are hazardous, yet they serve for illustration. Suppose that the Powers had bound themselves by a solemn Treaty to acknowledge a Prince whose birth was expected after the death of the Sovereign; afterwards that the Queen-widow was delivered of a still-born boy. The Treaty of acknowledgment of the Powers would have exactly the fate of the London compact of 1852: it is a very respectable Treaty for the protection of a still-born.

Here, however, we are met by an obvious misconception. The London Treaty pledges, it is said, the acknowledgment of Prince Christian. That is not the case, at least without further proof. For to understand a Treaty, more is needed than to have learnt to read, and to have the text before one. The object of the acknowledgment is an order of Succession, and such a one in fact in virtue of which Prince Christian acquires the right of succeeding in all those countries. If Prince Christian had become the successor by the London Treaty, without anything further, what need would there have been of a special law for the Succession? Wherefore renunciation of claims? Wherefore the Resolution of the Danish Diet? No: the arrangement is acknowledged by the Powers of the London Treaty, not the Prince; or, rather, not the Prince in his quality as the one to be called by an additional law to the common Succession. This qualification the Prince has not acquired for the Duchies, as the new law has only obtained legal force for Denmark. In a word: the London Treaty does not make the Prince successor to the Throne, but confirms his legal Succession. This Succession has not become legal for the Duchies. The London Treaty is, in fact, devoid of object. The Law of Succession of July 1, 1853, confirmed previously by it, proved itself still-born.

The London Treaty is impracticable. But as has already been pointed out, in so far as it has no legal signification, and does not bind France, England, &c., or bind them to a nullity. If, however, it is meant to give it another and wrongful signification—if the Powers so interpret it as to wish to support by their acknowledgment an illegal Succession, then the London Treaty will not be the first *pactum turpe* which, in spite of its wrong, and consequently non-binding character, has claimed recognition. But in this case the Contracting Powers are accomplices to a crime. Whoever takes part in it does so of his free will. If, for instance, Austria deems it wise to create a precedent by dethroning a Dynasty, well; let her separate herself from Germany in this affair. But she does not act from necessity! None of the Powers who have signed it can appeal to the London Treaty as binding them.

The so-called London Protocol binds no one.

(Signed) L. K. AEGIDI.

No. 385.

Sir H. Howard to Earl Russell.—(Received December 8.)

My Lord, *Hanover, December 6, 1863.*

IN my despatch of the 5th instant I reported that Count Platen, before giving an answer to the identic notes of the Austrian and Prussian Ministers, urging the Hanoverian Government to give their vote at the Diet in favour of the Austro-Prussian proposal for a simple Federal Execution in Holstein and Lauenburg, had referred to Vienna and Berlin in order to ascertain whether Austria and Prussia would be willing, in giving their votes, to declare that the various pending questions would not be prejudged.

The reply which his Excellency received was that those questions would not be prejudged by a Resolution of the Diet in favour of a simple Execution, but that the Austrian and Prussian Governments were unwilling to make a declaration to that effect, and again pressed the adoption of their proposal.

I saw Count Platen this evening, on his return from an interview with the King. He informed me that he was about to write to the Austrian and Prussian Ministers, acquainting them that Hanover would vote in favour of their proposal for a simple Execution. He felt convinced that this decision would give great satisfaction to the Austrian and Prussian Courts, considering that the Hanoverian Envoy at Frankfort had in the Committee approved of the more general draft of Resolution prepared by M. von der Pfordten, the Bavarian Envoy.

Inferring from Count Platen's language to me that it was not improbable that the Hanoverian Government, whilst voting for the Austro-Prussian proposal, might make some sort of general reserve, for example, like the declaration which his Excellency had been desirous Austria and Prussia should record, I strongly represented to him that any reserve which might be construed as applying to the Succession question, would be quite incompatible with the position of Hanover as an acceding party to the Treaty of May 1852, and I urged him not to make any reservation at all.

Should Count Platen instruct the Hanoverian Envoy at Frankfort to make any reserve, it will no doubt be with the view of courting public opinion, and of avoiding the appearance of too great a separation from the Middle German Goyernments with whom he usually acts.

I have, &c.
(Signed) HENRY F. HOWARD.

No. 386.

Sir A. Buchanan to Earl Russell.—(*Received December 8.*)

My Lord, *Berlin, December* 6, 1863.

I HAVE received a telegram from Sir Augustus Paget, informing me that the King of Denmark had sanctioned a Resolution adopted at a Council of State on the 4th instant for the immediate revocation of the Letters-Patent issued on the 30th of March last, for regulating the Constitutional position of Holstein in the Danish Monarchy.

A Proclamation appears also, according to public telegraphic information, to have been issued to the people of Holstein, declaring the King's intention to repress any revolutionary movements in the Duchy, and his hope that when intended arrangements shall have been made for granting to the people of Holstein and Lauenburg the same independent position aud the same Constitutional liberties enjoyed by the other parts of the Monarchy, they will be disposed to co-operate with him in bringing about a closer union between the different States of which it is composed.

These concessions might have been of infinite value some weeks ago, but I fear they will not greatly improve the present position of affairs unless the Governments of Austria and Prussia could be induced to consider that the latter part of the Proclamation gives indirectly a provisional character to the new Constitution for Schleswig and Denark.

I have reason to believe that M. Hall has within the last few days expressed a strong opinion against the possibibity of suspending the new Constitution. He may therefore positively refuse to adopt such a measure, but itappears to me there might still be some means devised for giving a provisional character to the Constitution pending the negotiations about to be opened at Copenhagen, and I venture to submit to your Lordship a suggestion by which, perhaps, this object might be attained.

Unless for purposes of war, there is no necessity for the Danish Government's issuing writs for a new Rigsraad in the first days of January next, and they have, I believe, obtained from the present Rigsraad ample credits for their immediate wants in the event of a commencement of hostilities.

Why, therefore, should not the King in Council give to the Envoys about to proceed to Copenhagen, a Declaration for communication to the Governments of Austria and Prussia, and those States which have adhered the Treaty of London,

that no Act or Governmental measure affecting Schleswig shall be adopted, pending the negotiations, in virtue of the new Constitution, and promising that if an agreement is come to, measures, which shall have met with the approval of the five Powers, will be taken for amending the Constitution in the sense agreed on. The Danish Government intend, perhaps, in the event of war to convoke the Rigsraad immediately, in order to meet the claims of Germany by a vote of the united Representatives of Schleswig and Denmark, but such a demonstration would be more effective if it emanated from an Assembly elected after war had become inevitable. A very few days would suffice for the elections, and there can therefore be no reason for not postponing them until after the close of the approaching negotiations, which should not give way to the expediency of enabling the Governments of Austria and Prussia to consider that the eventuality has not been realized which, according to their declarations at Frankfort and in their own Legislatures, they pretend would absolve them from the engagements which they contracted by the Treaty of London.

The Proclamation in Holstein, and the revocation of the Letters Patent will in the meanwhile cause some embarrassment to the Cabinets of Vienna and Berlin, as it will be difficult to explain how a Federal Execution can be carried out on the basis of the Decree of October 1; and on the other hand, they have declared to the other Governments of Germany that they will not be parties to a Federal occupation or sequestration of Holstein.

The only ground, therefore, on which they could now interfere would apparently be to preserve tranquillity in Germany; but if they should consider it necessary for that purpose to invite the King of Denmark to consent to the entrance of their troops into the Duchy, it ought not to follow that His Majesty's troops should be expelled from it, or that the Administration should be withdrawn from his control.

I have not seen M. de Bismarck since the arrival of the intelligence from Copenhagen, as a Cabinet Council has been sitting to-day at the Foreign Office.

I have, &c.

(Signed) ANDREW BUCHANAN.

No. 387.

Sir A. Buchanan to Earl Russell.—(*Received December* 8.)

My Lord, *Berlin, December* 6, 1863.

M. EWERS, the Russian Special Envoy to the King of Denmark, has arrived here, and will proceed to Copenhagen as soon as he has had an audience of the King. His Majesty will probably receive him to-day.

I have, &c.

(Signed) ANDREW BUCHANAN

No. 388.

*Earl Russell to Lord Bloomfield.**

My Lord, *Foreign Office, December* 8, 1863.

AS the Diet seems determined to proceed with the proposed Execution in Holstein, Her Majesty's Government consider it to be of great importance that the objects of that measure should be distinctly defined, and that it should be strictly limited to the enforcement within the Duchy of Holstein of the rights which the German Confederation alleges to have been disregarded by the Danish Government.

In conformity with this principle the Federal Commanders should be strictly prohibited from extending the Execution to any parts of the frontier in respect to which any doubt may exist as to whether it belongs to the Duchy of Holstein, and that, more particularly at Rendsburg, no doubtful or mixed territory should be occupied by the Federal troops.

In the same manner the Federal Commanders should be enjoined to repress any attempt to throw off the authority of the King-Duke, who at the present time is in *de facto* possession of the Duchy, and not to sanction or allow insurrectionary cries to be raised with a view of exciting the population to renounce their allegiance.

I am, &c.

(Signed) RUSSELL.

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* A similar despatch was addressed to Sir A. Buchanan.

No. 389.

Lord Bloomfield to Earl Russell.—(*Received December* 9,)

My Lord, *Vienna, December* 6, 1863.

I HAVE the honour to inclose, for your Lordship's information, a translation by Mr. Barrington of the identic notes which have been addressed by the Austrian and Prussian Governments to all the German Courts, inviting them to instruct their Representatives at the Diet to adhere to the proposal for an immediate Execution.

I have, &c.
(Signed) BLOOMFIELD.

Inclosure in No. 389.

Draft of Identic Note addressed by Austria and Prussia to the German Courts.

(Translation.) *Vienna, December* , 1863.

THE Undersigned has the honour to make to the following very respectful communication with which he has been charged.

The dangers to the general peace which stand in connection with the development of the Schleswig-Holstein affair impose upon the King's Government the duty of expressing their opinions to their German allies respecting the next measures to be taken; it gives them the greatest satisfaction to find that they are in complete understanding with the Austrian Government on this matter.

It is well known that at this moment the Diet is discussing the immediate carrying out of the Execution resolved on October 1st.

Prussia and Austria recognize this measure as necessary in the interest of the security and rights of Germany, and they are ready to co-operate towards its fulfilment on the basis agreed on, on which it can be carried out without prejudicing the other questions now being treated at the Diet, and without affording foreign Powers a pretext for interference.

A number of German Governments wish, however, to change the Execution into an occupation of the country on account of the disputed Succession, and this divergence of opinions has to our regret hitherto prevented the Report of the Committee, which has been so long expected, from being made out, and it even threatens to lead to a discord in the Federal Assembly which will render the measure impossible.

The conduct of the German great Powers in regard to these demands for occupation is enforced upon them both in the interest of Germany and by their European position.

They cannot, under cover of any occupation or intervention, forcibly break through the London Treaty as long as they recognize its validity. They expressed themselves by their vote at the last sitting of the Diet with regard to the conditions which are to be connected with this recognition. They must therefore bring forward the most earnest objections against Germany, and they themselves being exposed without the direct necessity to the eventuality of a war, the dimensions of which are incalculable, but the consequences and dangers of which would re-act chiefly upon the two great German Powers.

The German allies may be convinced that Prussia and Austria, once thoroughly agreed upon this question, will guard the rights and interests of Germany in the most emphatic manner practicable in the present state of Europe. If the two Powers demand the confidence of their allies in this matter, they must at the same time draw attention to the fact that the Confederation, if it wishes to preserve its position in Europe, must regard European questions from an European and political point of view.

They must request the German Governments seriously to weigh the dangers to the Confederation itself arising out of a hurried policy and one of partial tendency.

It cannot add to the dignity of the Confederation that the two great Powers should be outvoted in a question on which they are agreed and notoriously bound by European Treaties. It would be still more serious, however, if the Confederation produced the impression that instead of being, as is expected of it, a security

for peace and order, it were the means of producing dangers and elements of discord in Europe.

Prussia and Austria do not demand from their allies that they should sacrifice their own opinions on the Succession question. Nothing prevents their giving formal expression to them in their vote at the Diet. But it is earnestly to be wished that they should not, in view of the above considerations, allow themselves to be thereby prevented from consenting to the Execution once resolved on being carried out, and thus giving their adhesion to the two great Powers. A resolution in this sense requires no further detailed justification, since, reserving altogether the Succession question, it amounts simply to an expression of the thoroughly unsatisfactory nature of the declarations hitherto made to the Diet.

The King's Government, in requesting to instruct your Representative at the Diet to adhere to the Austro-Prussian proposal for immediate Execution, expresses the hope that will not refuse to listen to the above considerations, but will perceive the responsibility that will attach to the serious and unavoidable results of a further prolonged dissension in the Diet.

No. 390.

Lord Bloomfield to Earl Russell.—(Received December 9.)

My Lord, *Vienna, December 6, 1863.*

WITH reference to my despatch of yesterday's date, I have the honour to inclose a translated précis of the debate in the Lower House of the Reichsrath, which ensued upon Count Rechberg's reply to the interpellation addressed to the Imperial Government on the affairs of the Danish Duchies.

I have, &c.

(Signed) BLOOMFIELD.

Inclosure in No. 390.

Précis of Debates in the Austrian House of Deputies, December 4, 1863.

Dr. Rechbauer, without discussing general diplomatic topics, would confine himself to the scope of his interpellation, by which he desired to assert the rights of the German Duchies, and the duty of Austria to accept her responsibilities both as a German and as a great European Power. He was not satisfied with Count Rechberg's explanations. From the principles laid down by the Minister he deduced different results from his. It was desirable to act with Prussia, understanding by Prussia the enlightened public opinion of that country, and not, as the Minister did, a Government to which Austria could not honourably ally herself (loud applause). He was no less anxous than the Minister that Austria should respect the right; he, however, took his stand, not on the London Protocol, but on the ancient and written rights of Germany and the Duchies. These specially rest on three fundamental principles, each of which has an international and historical basis. 1st, Schleswig and Holstein are independent States; 2nd, they are inseparably united; and 3rd, in them the agnatic order of Succession exclusively prevails. After an historical survey ("Rücksicht") of the question backwards to A.D. 1460, when the Estates of Holstein elected the King of Denmark to be their Duke, the speaker came back to the Execution of 1848, and reminded the House how it resulted in the war, a detailed account of which he need hardly offer at present, seeing that the bitter memory of it was still alive in every honest German heart, and that every Teutonic cheek still blushed crimson to think how German Powers deserted a noble German race, and gave it, bound hand and foot, to the foreigner. An infamous peace was followed by the Arrangement of Warsaw, and the so-called London Protocol, which, according to his Excellency, was now the only admissible point of departure. That Protocol upset the old order of Succession, and, setting aside the most weighty rights of the country and the agnates, passed to the order of the day under the pretence of maintaining peace and the balance of power. In 1852 the Danish States voted a new order of Succession, under which the so-called Protocol Prince, Christian IX, is now legitimate King of Denmark. But in Schles-

wig-Holstein the States were not in a position to sanction this arrangement, and still less had they recognized the doctrines of the London Protocol. The Agnates, far from consenting, had repeatedly protested; the Bund, when convoked for the purpose, refused its ratification: so that the London Protocol did not establish, but violated, a right. By whose fiat could the Agnates be robbed of their inherent rights, or the Bund be stripped of its Constitutional powers? Were foreign intervention admitted, what country, what Sovereign, could count on independence? The London Protocol was a *pactum turpe*, and hence of necessity untenable. Nor did it, such as it was, imply all that had been extracted from it. Austria and Prussia had agreed to the order of Succession proposed by Frederick VI, subject to the approval of the States of Schleswig-Holstein; but neither was this condition fulfilled, nor the acquired assent of the Agnates and the Bund obtained. Hence the new arrangement was never clothed with legal sanction. Therefore in his eyes the breach of right is not the abandonment but in the maintenance of the Protocol. Let us tear up the Protocol and, no longer tolerating Danish troops and Danish ordinances, occupy the Duchies with a German army. Occupation it is said was dangerous, but so was Execution. Besides, Execution could only drive Denmark to the observation of the conditions of the London Protocol. Thus the old game would be played again. When the excitement of the German people was calmed, Denmark's empty promises would be taken in payment, and the Duchies again abandoned to the stranger! (Lively applause on the left.) As to endangering the peace of Europe what need had he to consider that? A Napoleon on the French Throne, the Netherlands, Cracow, Modena, Tuscany, Naples, and lastly Greece, bear witness to the sanctity of Treaties. As for England, after joining in a guarantee of the Throne of Greece to the Bavarian Dynasty, she had now with her gold and her intrigues upset that Throne and filled it with a foreigner. Poland too was now trampled under foot by Russia! (Applause.) And shall Germany with its 40,000,000 souls have less courage than that people? Let Germany not abdicate the duty prescribed by honour. As for Austria she must stand by her post and not shrink from the responsibilities attaching to her mission. Otherwise the moral victory won at Frankfort by the magnanimous deed of her Monarch would be flung away. The speaker concluded by remarking that in this nineteenth century people would hardly care to test the blueness of the Augustenburg blood. M. Köpfl states that the requirements of the genealogical cyanometer are not fulfilled by the current which flows in the noblest veins of Germany. Neither in the Royal, Gross-Ducal, Ducal Houses, nor even in the Imperial family! My voice, said the speaker, is a single one, but it will awaken echoes in the hearts of Germans wherever the rights of an oppressed race, the honour of our nation, and of Austria, are not as nothing. (Loud applause.)

M. Schindler recalled the meagre assurances of last year that the Austrian Cabinet would act for the best. It is now seen that their "best" is bad. The rest of Europe is enjoying a productive peace, but our own country after losing her old allies, and finding none to replace them, stands armed to the teeth with sword drawn and ready to strike some conjectural foe, forming armies, rifling cannons, building ambulances as if for the wounded on the fields of diplomatic slaughter, and all while we groan under the load of an enormous deficit, made heavier by oppressive taxation and depreciated values. Such material sacrifices are peculiarly aggravated where the Constitutional system is just springing up. The weapons we want are ploughs, not cannons, and the rattle of arms is a music to which we are very sensible; for we, above all people, know that when swords begin to clank, liberty and Parliaments are put away into the archives. It is to the vicious direction of our foreign policy since 1852 that we own our false diplomatic position and the ruin of our finances. After the recent speech of the French Emperor we ought surely to be looking to a reduced military expenditure; his peacable proposals do not in any case infer danger to Austrian territory. Our internal situation is full of peril, and it is the bad administration of foreign affairs which has brought things to their present pass.

Count Rechberg must beg to transgress the rules of the House by replying (Sensation) to Dr. Rechbauer, and specially to his misinterpretations. He (Count Rechberg) had declared that the London Protocol was but a link in a chain of negotiations, and only binding in so far as Denmark fulfilled the engagements she had taken to Germany. I added that we held Denmark to those engagements; and the black anticipations urged as to the conduct and situation of Austria are refuted by the fact that we have announced at Frankfort our readiness to despatch our

contingent to the Elbe. As to personalities reflecting on foreign Governments, they do not pertain to the province of this House (Oh! Oh!). If we let other people cook their own dinner at their own fire they will not come and meddle in our affairs (Disorder). M. Schindler pretends that I admitted we had lost our old allies, whereas I stated that the theory of modern diplomacy prescribed alliances more elastic than those of the old system, and more pliant under the changes of time and circumstance. Then if Austria had wanted to rattle her arms she would long since have been at war. He had taken office after the outbreak of the Italian war. and he declined the responsibility which might attach to the acts of his predecessors, As regards Poland the negotiations have been made public, so that there is no new information to lay before the House. On the 11th of February the Government drew the attention of its Diplomatic Agents to the question, and stated that, in recognizing the rights of humanity it would not lose sight of its duty to neighbouring States. Soon the conflict assumed an international character. The Government never doubted as to the attitude it ought to assume. Its essential duty under the above-named limitations was absolutely to cling to the maintenance of peace, and to preserve the territorial integrity of the Empire. Starting from such a basis, the Government, in conjunction with the Western Powers, demanded of Russia the re-establishment of law in Poland. This step produced no other result than a refusal on the part of Russia to entertain suggestions which, in themselves useful, were, and must remain, totally inapplicable until such time as order again reigned in the rebellious province. In the meanwhile these negotiations took an entirely new turn, in consequence of the invitation of the Emperor of the French to a Congress. The Imperial Government quite felt the greatness of the idea, but at the same time it could not help seeing that the Congress might produce war as well as peace. It therefore, in order to avoid the former, felt it necessary to endeavour to come to an explicit understanding, both as to the objects to be attained and the manner of attaining them. He could not enter further into this matter, as the negotiations were still pending; but he might state that the principle on which the Government was proceeding was one of territorial integrity. With regard to the Holstein question he was unable to give any more details, having already made so complete an explanation.

M. de Grocholski said the explanation did not alter his convictions. In Schleswig-Holstein it was not a mere question of written rights, it was one of nationality. The Poles having so long bled for this cause would be sure to support Germany in her struggle. Referring to the state of Poland, he said that what was a question of humanity with other Powers was one of political wisdom for Austria. In passing a criticism upon the conduct of Austria with regard to Poland, the speaker stated that the Austrian policy was no benevolent one, and was not to be justified by international obligations, and he sincerely hoped that the German question would not be treated in the same dubious way that the Polish one had been. He was no advocate for a European war, but all must see that affairs were in a critical state, and the question naturally arose of what position Austria ought to assume. Former precedents showed that neutrality was impossible; one side must be taken. An alliance with Russia would find but few admirers, and he thought that a war against this Power would be decidedly popular, not alone in Galicia, but with the army, and especially in Hungary.

Dr. Brinz could not defend the policy which had dictated the answer to the interpellation put by Dr. Rechbauer. The contemptuous expression about the rights of the Augustenburgs might fall well from the mouth of a democrat, but it scarcely became the legitimate Representative of the most legitimate Government in Europe. If the Imperial Government meant to abide by the London Protocol as soon as Denmark had acted up to the obligations then undertaken by her, he would ask if that was "proving respect to legal rights?" He only wanted rights to be maintained, a demand which the poorest of a State are entitled to make, and which every State worthy of the name must concede. Dr. Brinz proceeded to enter fully into the state of feeling on the subject in Germany; he gave it as his opinion that the point of view taken in Germany was the right one, and that Austria would do well to adopt it if she wished to maintain her position there.

He concluded by saying that hitherto he had cordially approved the policy pursued by Count Rechberg, but that the events of the last few weeks had most seriously shaken his confidence.

M. Waidele observed, upon the position of Austria, that it was not calculated for the nationality policy in which as a German his thoughts and feelings centred.

He had studied the Danish question before it became confused by the agitation of the day, and he was of opinion that the Powers could scarcely regard the Treaty of 1852 as decisive till it had been agreed to by the popular Representatives. The Treaty was nullified, not because it had been violated by Denmark, but because it merely contained an eventual recognition of a legal status which, in the absence of any adhesion to it on the part of the Diet, had never existed. The political grounds on which the Treaty was concluded were at variance with the opinions entertained by the people on this question. The Great Powers intended by this Treaty to secure the political equilibrium of Europe, to avert the possibility of Russia acquiring territorial possessions in Germany, and to prevent Denmark from throwing herself into the arms of the Scandinavian Union. Now, Russia made no claim to the Duchies because she well knew her claims would never be recognized, and the Scandinavian Union was more imminent than ever. The time was come for Austria to cast aside that policy, based upon the necessity of maintaining the integrity of Denmark, which she had hitherto followed, and he was of opinion that neither Treaty obligations nor her own interests prevented her taking a bold and honourable course in this question.

Count Rechberg said that the only difference between the views of Dr. Brinz and those of the Government lay in the fact, that the former only acknowledged as legal what he personally considered as such, whereas the latter pronounced itself for neither party in this question, and can only acknowledge as legal what has been declared to be so by a competent tribunal. It seemed to him further that a very important question had been overlooked by all honourable members, viz., What were the wishes of the inhabitants of the Duchies? Was it in their interest to annul their connection with Denmark?

M. Kuranda reproached the Government with having no systematic policy. At the beginning of the year they had aimed at an alliance with the Western Powers. What had become of the project? With regard to the question under discussion he thought that it was Austria's interest to obey a majority of the Diet. She had signed the London Treaty on the presumption that the Bund would relieve her of her obligations as one of its members. Unless the Bund did so, Austria could not be bound by that Treaty, and England would not hold her to its stipulations if made aware that the execution of the London Treaty was nothing more nor less than a dismemberment of the Confederation, a violation of the Treaties of 1815, and the destruction of the primary element of peace in Central Europe.

Count Rechberg said that as far as this reproach of a want of system in their policy went, he would only beg the House to compare the situation of Austria in 1854 with her present position. M. Kuranda had stated that the Government had got into difficulties in the Congress question. He was aware of no such difficulties. The Government thought the Congress was proposed in the interests of peace, and they had stated the conditions on which they would take part in it.

Dr. Giskra.—The Minister for Foreign Affairs has told us not to meddle with his Department for two reasons: first, we have plenty to do in regulating the internal affairs of the empire; secondly, since he came into office his policy has been crowned with success. Now with reference to the former he would remark that the Budget of the Ministry for Foreign Affairs was in itself a subject well worthy of their attention, and more especially so from its intimate connection with the vote for the army and navy,—for the amount of the latter must be regulated by the state of their foreign relations. And as to the latter, he would ask the Minister for Foreign Affairs if he meant thereby to refer to his success in 1859? We now hold, it is true, a better position than in 1859,—no thanks to our Foreign Minister. We owe this amelioration to the Constitution alone. That unfortunate year 1859, with all the evil consequences it entailed upon Austria, was the result of a misdirected policy, and of an over-excessive confidence in our military organization. The war in Italy was an offensive war begun by us. Our friends looked coldly at us, our neighbours derided us, and long will Austria bleed at the wounds she then received through the incapacity of her generals and diplomates. One thing is certain. We are now as isolated as in 1859. Our relations with Russia are hostile; with France, full of insecurity; with Italy, an open hostility; and with Prussia, irritating, almost hostile. England is perhaps our friend; but this is doubtful, for we agree not with England in the Italian question.

It is not said what means one has of attaining the end of Austria's policy—peace and the integrity of the kingdom. He (Dr. Giskra) agreed with the preceding speaker that there are repeated attempts to reach something, and then a halting

halfway,—half measures, irresolution, indecision. And then the result of the ministerial explanations to-day has been misunderstanding upon misunderstanding, the natural effect of such vacillation. Take the Polish question. The obligations of humanity and the Treaties must be regarded. The result is a diplomatic surrender. What Austria wished she did not attain, as testify the bloody fields of Poland and the woes of the people. Whatever is begun should be carried to an end. The threatening hand should not idly fall. He regrets on this account the attitude of the Government in the matter. The disquietude in Galicia is only a continuation of the unfortunate state of Poland. In Italy similar vacillation, which absorbs millions. The attitude of Austria is that of protesting against facts, without results, and without lessening, as promised, her armaments. In the Italian question the old ally of Austria, England, does not agree with her. The evil effects of this would have followed in a Paris Congress. If we were united with Italy we could reckon upon going hand in hand with England. As it is, England might be an adversary. And what has happened at Rome? The House spoke strongly about that unhappy Concordat, which has alienated from Austria so many sympathies. The negotiations of our diplomatist there have not had a single result. This question affects not merely millions and millions, but nearly all hearts in Austria. And what has happened in Germany? With a Delegate-project, and then a Reform-project disavowing the former—with such vacillation are many dangers probably entailed upon Austria. And to-day she has taken her stand by the London Treaty on the one hand, and by the rights of the Diet on the other. Here the same half measures as ever. He (Dr. Giskra) is also of opinion that the proper tribunal of the Diet, and not a Government alone, should decide between two pretenders to a Crown; consequently there should be a sequestration, an occupation, and not an Execution. He fears lest Austria should lose in Germany all the sympathies she has, and lest it be said Austria uses Germany when she needs Germany, and when Austria is needed by Germany then she looks only to her position as a great Power.

Vice-President Schmidt asks whether Austria has already done all internally to warrant her turning her chief activity to the affairs of other States? The edifice of her Constitution is not yet perfected. Before building a neighbour's home, should not one's own be completed? In the meanwhile he can rely upon the declaration of the Government that they would protect the interests and integrity of Germany.

Count Eugene Kerisky finds that in to-day's debate the purely Austrian point of view has been too little regarded, and that in this respect the Minister for Foreign Affairs leaves in the Italian question much to be desired. Austria should follow in Italy a policy which should protect the integrity of her interests, and free her from an ever-menacing danger of war. It was neither Constitutional nor sound policy for Austria to maintain the Modena troops.

Count Rechberg replies that the maintenance of peace is the policy followed in Italy; and that as long as it is openly avowed in Turin that the first favourable opportunity should be used to separate Venice from Austria, so long will good relations with Turin be impossible.

No. 391.

*Earl Russell to Lord Bloomfield.**

My Lord, *Foreign Office, December* 9, 1863.

COUNT APPONYI called upon me yesterday, and read to me a despatch from Count Rechberg dated the 5th instant, respecting the communications which it is proposed should be made at Copenhagen by the Powers parties to the Treaty of May 1852, with a view of bringing about a settlement of the differences beween Germany and Denmark.

Count Rechberg seems to be of opinion that the steps to be taken at Copenhagen would have a better chance of success if confined in the first instance to the non-German Powers, while the abstinence of Austria and Prussia from participating in the overture to the Court of Denmark would relieve them from the imputation of over-eagerness to arrive at a settlement, and so enable them to exercise greater influence over the excited spirit prevailing in Germany.

If this course should be approved by the three non-German Powers, Count Rechberg is of opinion that those Powers should, by previous communication, come to a clear under-

* A similar despatch was addressed to Sir A. Buchanan.

standing with the Governments of Austria and Prussia as to the proposals which the three Powers should bring before the Cabinet of Copenhagen, and by these means all further misconception would be avoided, and a settlement of pending questions might be arrived at.

I have to state your Excellency that Her Majesty's Goverment entirely agree with Count Rechberg in this respect; and they trust that in the interval which will elapse before the arrival of Lord Wodehouse at Berlin, on his way to Copenhagen, the Governments of Austria and Prussia will have placed their demands in a clear shape; and that M. de Bismarck may thus be in a position to state distinctly to Lord Wodehouse what the Confederation really requires Denmark to do in order to place her relations with Germany on a friendly footing.

I must state, however, that the Russian Government thought it necessary to communicate their proposal to the Cabinet of Stockholm, and Her Majesty's Government will pursue the same course.

Lord Wodehouse will arrive at Berlin on the evening of the 11th instant, and will continue his journey to Copenhagen on the morning of the 13th.

I am, &c.
(Signed) RUSSELL.

No. 392.

Earl Russell to Sir A. Paget.

Sir, *Foreign Office, December* 9, 1863.

HER Majesty's Government have reason to suppose that the Federal force to be put in motion, either directly or as reserves, for carrying into effect the proposed Execution in Holstein, will consist of 6,000 men of the Contingent of Saxony, to be supported in case of need by the same number of the Contingent of Hanover.

In addition to this, a force of from 15,000 to 25,000 Austrian troops, and of 22,000 Prussian troops, will be in readiness as a reserve.

The Danish Government have doubtless received from their own Agents information to the same effect, and they will probably be convinced that under such circumstances it would be an act of great imprudence on their part, by offering opposition to the Execution, to risk a conflict in Holstein with the Federal troops.

I am, &c.
(Signed) RUSSELL.

No. 393.

Earl Russell to Lord Wodehouse.

My Lord, *Foreign Office, December* 9, 1863.

THE Queen having been pleased to appoint your Lordship to convey to the King of Denmark Her Majesty's congratulations on his accession to the Throne, I have to instruct you to proceed to Copenhagen with Her Majesty's letter to the King, which you will receive inclosed in my preceding despatch of this date.

Her Majesty's Government, however, think it desirable to take advantage of this opportunity to endeavour to effect a settlement of the differences which have so long prevailed between Denmark and the German Confederation, and I have given you in another despatch instructions for your guidance in this respect.

You will pass through Berlin on your way, remaining there sufficient time to admit of your communicating with the Prussian Government on the subject of these last-mentioned instructions.

I am, &c.
(Signed) RUSSELL.

No. 394.

Earl Russell to Lord Wodehouse.

My Lord, *Foreign Office, December* 9, 1863.

BESIDES the mission of congratulating the King of Denmark on his accession to the Throne, Her Majesty has been pleased to confide to you a task of the highest importance.

The contingency contemplated in the Ist Article of the Treaty of London, of the 8th of May, 1852, namely, a default of issue male in a direct line from King Frederick III of Denmark, has occurred, and in conformity with that Treaty King Christian IX has ascended the Throne of Denmark.

But, while the Succession to the Kingdom of Denmark is not disputed, the Succession to the Duchy of Holstein has been a matter of warm dispute in Germany, and the Diet of the Confederation have hesitated or refused to admit the claims of the Minister of King Christian, Duke of Holstein, to take his place in the Diet.

But, what is of more importance, doubts have arisen in Prussia, and to some extent in Austria, as to the binding force of the obligations of the Treaty of 1852.

It will therefore be necessary, before I proceed further, to state plainly the object and the provisions of that Treaty.

It is stated in the preamble of that Treaty that Great Britain, Austria, France, Prussia, Russia, and Sweden, consider that the maintenance of the integrity of the Danish Monarchy is of great importance to the promotion of peace.

They proceed to state that an arrangement by which the Succession to the whole of the dominions then united under the sceptre of the King of Denmark should devolve upon the male line, to the exclusion of females, would be the best means of securing the integrity of that Monarchy.

Having thus plainly declared that the integrity of the Danish Monarchy is of high importance to the preservation of peace, and that the Succession of a Prince of the male line to the whole of the dominions then under the sceptre of the King of Denmark would be the best means of securing that integrity, these Powers proceed to stipulate :—

Article I. That in default of issue male in a direct line from King Frederick III of Denmark, the Powers engage, by common consent, to acknowledge in His Highness the Prince Christian of Schleswig-Holstein-Sonderburg-Glucksburg "the right of succeeding to the whole of the dominions now united under the sceptre of His Majesty the King of Denmark."

Art. III. The third Article declared that the reciprocal rights and obligations of the King of Denmark and of the Duchies of Holstein and Lauenburg, established by the Federal Act of 1815, should not be affected by the present Treaty.

Art. IV. By the fourth Article, the High Contracting Powers reserved to themselves the power of bringing the Treaty to the knowledge of other Powers, and inviting them to accede to it.

In consequence of this Article, various Powers and States, a list of which I inclose, acceded to the Treaty; Hanover, Saxony, and Wurtemberg being among them.

Saxony, not content with a simple accession, declared through M. de Benst that "His Majesty" (the King of Saxony) "having informed himself as to these arrangements, as well as of the stipulations made to guarantee their stability, is happy to acknowledge the wisdom of the views and the solicitude for the great political interests of Europe, of which the High Contracting Powers have given on this occasion a new and conspicuous proof."

It is true that there is a reserve as to the powers of the German Diet in respect to certain eventual rights of Succession belonging to the Albertine branch of the House of Saxony in respect to the Duchy of Lauenburg, but this reserve in no way affects the assent given by Saxony to an arrangement serving to maintain the integrity of the Danish Monarchy, and to ensure, at the same time, the preservation of the general peace.

These well-chosen and unambiguous expressions of the Saxon Minister describe forcibly the intention and presumed effect of the Treaty of the 8th of May, 1852.

It is true that some reserve is made by Saxony as to the future decisions of the German Confederation, but it does not appear that the Final Act of the German Confederation, signed at Vienna on the 15th of May, 1820, has any reference to a case of this kind. The VIth Article, which has been quoted for the purpose of proving such a right to exist in the German Diet, is evidently intended for the sole purpose of guarding against the alienation to a foreign Power of any territory belonging to a Member of the Confederation, such as the transfer of Hanover to Great Britain, or of the Palatinate to France.

The Treaty of May 1852, therefore, is open to no question, and is clearly a part of the public law of Europe.

It has been contended, indeed, in Germany, that some anterior engagements concluded by the exchange of diplomatic notes between Austria and Prussia on the one hand, and Denmark on the other, in 1851-52, must be read in connection with the Treaty of May, and must form a part of one and the same general arrangement. The correctness of this last assertion Her Majesty's Government cannot admit. They could not consent to make the validity of a positive and plain Treaty depend on the execution of arrangements made at some other time by means of diplomatic despatches, and not mentioned or referred to in the Treaty itself; nor can they admit the doctrine that the meaning and binding force of an instrument which is clear and simple in itself, should be sought for in other documents which are obscure and complicated. Such a doctrine would shake and undermine the foundations on which the international rights and relations of the Powers and States of the world repose.

But when, taking a different ground, the Cabinets of Berlin and of Vienna allege that the Government of the late and of the present King of Denmark have not kept faith with the German Powers, and that all the engagements of Denmark towards Germany ought to be faithfully executed, Her Majesty's Government declare themselves ready to examine that question fairly and impartially. Let Prussia and Austria prove that Denmark has failed, and does still fail in her obligations towards them, and in such case Her Majesty's Government will use all their influence at Copenhagen to induce the King of Denmark to comply faithfully with all the engagements of his Crown.

I have only some observations more to make on the nature and scope of these engagements. They are contained not in any Treaty or Convention, but in a correspondence which took place at the end of 1851 and in the commencement of 1852. It is difficult to define their exact scope and bearing, and they have been a subject of controversy for the last eleven years.

We find, however, in that correspondence, certain landmarks which it will be well to keep in view.

In the Annex to the Austrian despatch, the terms of which were formally accepted by Denmark, it is said:

"The Imperial Court of Austria learns with satisfaction the resolution of His Majesty the King of Denmark to reinstate, not only in the Duchy of Holstein, but in the Duchy of Schleswig, the legally existing institutions of Provincial Assemblies;" and again, "In the declaration of His Majesty the King of Denmark that neither an incorporation of the Duchy of Schleswig into the Kingdom shall take place, nor that any steps towards this end shall be taken, the Imperial Court recognizes with satisfaction, &c."

In the Annex to Baron Manteuffel's despatch of December 30, 1851, we find stated:

"1. The recognition on all hands of the principle that in the general interest of Europe the Danish collective Monarchy, in its present composition as one whole State, and under one sceptre, shall be maintained."

We find also stated in the same document, "In regard to Holstein, it is settled that the Provincial Assemblies of the Duchy, as the legally existing organ of that country, shall be called together, and that the representation of the country and its specific rights belong to those Assemblies."

We find it further stated that "the affairs of the Duchy of Schleswig, as a non-German State, are not in themselves a subject of explanation and negotiation of the German Confederation," and the Article then goes on to remark on certain legal relations between the two Duchies, "whilst it is acknowledged by Prussia and Austria that no claim on the part of Holstein as to any community and unity in the affairs of both Duchies is admissible."

Further on we find it laid down that "the Royal Danish Government agrees with the German Powers that the Duchy of Schleswig shall subsist as a separate part of the Danish collective Monarchy, which part shall not, either in constitution or in administration, be incorporated into the Kingdom of Denmark."

On the other side, I find in the Proclamation of the King of Denmark of the 28th of January, 1852, which was accepted by the German Diet, so far as the Confederation was concerned, as being in accordance with their laws and rights, the following declaration in regard to the Duchies of Holstein and Schleswig:—

"In like manner, as no doubt can be entertained in regard to our firm resolution to observe inviolate the provisions of the Danish Fundamental Law, we are resolved to grant in a Constitutional manner, to the Provincial Estates of our Duchy of Schleswig, as well as of our Duchy of Holstein, such a development as that each of the said two Duchies, in regard to those of its affairs which hitherto belonged to the sphere of the deliberative

Provincial Estates shall receive a Parliamentary representation, with the power of taking resolutions."

The next sentence refers to projects of law, and the following thus defines the object of the project of law for Schleswig :—

"That project of law to be drawn up for the said purpose, for the Duchy of Schleswig, shall more particularly contain the necessary provisions to establish and to secure perfect equality of rights, and powerful protection to the Danish and to the German nationality in the said Duchy."

It is not my purpose either to point out how these engagements have been observed, or to affirm that any of them have been violated. It will be for the Ministers of Austria and Prussia to make their complaints on this head. It is the desire of Her Majesty's Government to see these questions submitted to a calm examination by the non-German Powers.

You will accordingly communicate the views of Her Majesty's Government to the Ministers of France, Russia, and Sweden, and you will endeavour to make your joint representations to the Danish Government conformable in substance, if not identic in terms.

The result to be arrived at is the fulfilment of the Treaty of May 8, 1852, and of the engagements entered into by Austria, Prussia, and Denmark in 1851-52. The mode of arriving at that result cannot yet be laid down. Patience and impartiality on the part of the Great Powers will conduce greatly to that end, and will contribute in the same proportion to the maintenance of the peace of Europe.

I am, &c.
(Signed) RUSSELL.

Inclosure No. 394.

Accessions to the Treaty of May 8, 1852, relating to the Succession to the Danish Crown.

THE Treaty between Great Britain, Austria, France, Prussia, Russia, Sweden, and Norway, and Denmark, respecting the Succession to the Crown of Denmark, was signed at London on the 8th of May, 1852, and the ratifications were exchanged at London on the 19th June following. In accordance with the IVth Article of the Treaty the following Powers were invited to accede to it :—

Bavaria	Oldenburg
Hanover.	Saxe-Weimar.
Netherlands.	Belgium.
Saxony.	Naples.
Wurtemberg.	Spain.
Hesse-Cassel.	Portugal.
Hesse-Darmstadt.	Greece.
Baden.	Tuscany.
Mecklenburg-Schwerin.	Sardinia.
Mecklenburg-Strelitz.	

The Powers which acceded to the Treaty were:—

Hanover,	December, 11, 1852.
Hesse-Cassel,	,, 16, ,,
Netherlands,	,, 20, ,,
Oldenburg,	,, 10, ,,
Portugal,	March 19, 1853.
Spain,	December 6, 1852.
Saxony,	,, 9, ,,
Wurtemberg,	November 28, ,,
Sardinia,	December 4, ,,
Naples,	January 28, 1853.
Belgium,	December 30, 1852.
Tuscany,	,, 6, ,,

Oldenburg and Saxony, however, in their accession, reserved certain rights containe in ancient Treaties.

The following States refused to accede to the Treaty until the views of the German Diet on the subject should be known :—

Bavaria,	December 20, 1852.
Hesse-Darmstadt,	January 24, 1853.
Saxe-Weimar,	December 31, 1852.
Baden,	January 26, 1853.
Mecklenburg-Schwerin,	January 10, ,,
Mecklenburg-Strelitz,	,, 10, ,,

No. 395.

Sir A. Paget to Earl Russell.—(Received December 10.)

My Lord, *Copenhagen, December 7, 1863.*

I HAVE the honour to inclose herewith translations of two Proclamations by the King of Denmark, dated the 4th instant, one to His Majesty's subjects in Holstein, the other to those in Lauenburg.

I have likewise the honour to transmit a translation of a Royal Ordinance under the same date, revoking the Letters-Patent of the 30th of March last.

I have, &c.
(Signed) A. PAGET.

Inclosure 1 in No. 395.

Proclamation of the King of Denmark to the Holsteiners.

(Translation.)

TO our dear and faithful subjects in the Duchy of Holstein,

We Christian IX, by the Grace of God, King of Denmark and the Vandals and Goths, Duke of Schleswig-Holstein, Stormarn and Ditmarshen, Lauenburg and Oldenburg, &c., &c., hereby make known.

The order of Succession to the Throne of the Danish Monarchy, fixed after many and great difficulties by the Law of July 31, 1853, had in view the establishment of peace. This order, the course of which has been regulated by the sacrifice and attachment of others, has been accepted by us, without personal ambition solely in the hope of ensuring the welfare of the dear fatherland. It has met with the approval of the Laws of the nations of Europe through a sacred Treaty, in which the majority and the greatest Powers of Europe have participated, as they acknowledged the integrity of the Danish Monarchy as a necessity for the peace of Europe.

In spite of such an order for the purpose of securing the welfare of our country and the peace of the world, endeavours had been made which had in view the dismemberment of the Danish Monarchy, and for which the most unreasonable demands of right of inheritance are used as a shelter. With heartfelt grief we see that these also increase in our Duchy of Holstein, disturb the feelings, and create uncertainty and doubt even with those upon whose faithfulness and attachment we are particularly entitled to depend.

Holsteiners! We see in the maintenance of the Danish Monarchy one of our most important duties as Sovereign. And as we consequently cannot allow that the efforts which are being made against it by the conduct of a portion of the official functionaries, thus we are firmly determined and prepared to resist with arms all riotous movements, and strictly to call to account any one who in this respect shall allow themselves to be led to commit illegal acts. However, we entertain the hope that our dear subjects in Holstein, who are united to us by so many ties, will not be induced to waver in their faith towards us, and that the parties in doubt will return to the fulfilment of their duty, and that the excited portion of them will be discreet, and by this means our paternal heart may be saved from the pain of taking such precautions as would deeply afflict us.

The efforts of many years for the purpose of establishing an agreement with respect to the Constitution for the entire Monarchy have, we regret to say, not led to any settlement. But while it is our intention to establish for our German Federal States an independent position in the Monarchy in a similar manner as has already taken place with regard to that portion of the Monarchy not subject to the Confederation, we trust to the hope that our Duchy of Holstein, when feeling satisfied in the enjoyment of a true constitutional liberty and all pretence for foreign interference has been removed, will

voluntarily yield to a closer unity with the other portions of the Monarchy, and that a satisfactory arrangement for all parties of the relations will then be possible.

Holsteiners! We have ascended the throne under circumstances of great difficulties. We calculate upon the attachment of our subjects with so much the more confidence when you on your part stand faithfully by our side, the Almighty will, we hope, crown our efforts, which are solely based upon the welfare and peace of our country, with success.

Given in our city of Copenhagen, this 4th day of December, 1863.

(Signed) CHRISTIAN R.

(Countersigned) C. HALL.

Inclosure 2 in No. 395.

Royal Mandate to the Minister for the Duchies of Holstein and Lauenburg

(Translation.)

CHRISTIAN IX, by the Grace of God, King of Denmark, &c.

We have seen with great satisfaction that our faithful subjects in the Duchy of Lauenburg, in spite of the appeals made to them of late with a view of affecting the fidelity due to us, have not deviated from their duties as loyal subjects on this account. We entrust you with the task of expressing to the inhabitants of the Duchy of Lauenburg, and especially to the Government and other authorities and public functionaries of that place, our most gracious acknowledgments for the peaceful and firm behaviour they have shown.

May God be with you.

Issued in our city of Copenhagen, this 4th day of December, 1863.

(Signed) CHRISTIAN R.

Inclosure 3 in No. 395.

Royal Ordinance revoking the Patent of March 30, 1863.

(Translation.)

ON the 4th instant was signed the following Patent, by which the Royal Ordinance of March 30, 1863, with respect to the constitutional relations of the Duchy of Holstein, has been abolished :—

We, Christian IX, &c., make known. We have thought proper to abolish the Royal Ordinance issued on the 30th of March of the present year, with respect to the constitutional relations of the Duchy of Holstein.

To which every one concerned has to conform.

Given under our Royal hand and seal at our city of Copenhagen, this 4th day of December, 1863.

(Signed) CHRISTIAN R.

(Countersigned) C. HALL.

No. 396.

Sir H. Howard to Earl Russell.—(Received December 10.)

My Lord, *Hanover, December* 8, 1863.

I LEARNED from Count Platen this morning the fact with which your Lordship will, no doubt, have been immediately made acquainted, that the Austro-Prussian proposal for a simple Execution in Holstein on the basis of the Federal Resolution of the 1st of October last was adopted in yesterday's sitting of the Diet by a majority of one vote, and that Hanover voted for it without reserve.

In recommending this course to his Sovereign, Count Platen was only acting up to the principles which he has professed and to the spirit of the engagements which he has recognized; but, nevertheless, some credit is due to him for not having allowed himself to be diverted from the paths of honour and good faith by the many internal difficulties with which he has had to contend, and by the fear of incurring unpopularity in his own country.

I inquired of his Excellency whether the withdrawal by King Christian of the

Patent of the 30th of March last, which formed one of the principal grievances against Denmark, might not have furnished a motive for staying the Execution; but his Excellency replied that the Confederation had so many other grounds of complaint against the Danish Government, and amongst them the contemplated incorporation of Schleswig, that there could be no question of a suspension of the Execution, which, moreover, would be the only means of bringing about a regular settlement of the question.

I heard from his Excellency that Baron Münchausen, who had been Civil Commissioner for Holstein on the part of this Government, had just sent in his resignation, not approving of the Resolution of the Diet in favour of an execution instead of an occupation.

I beg to inclose a statement of the Hanoverian military force which is to form a part of the Federal Corps of Execution in Holstein. The troops will begin to be set in motion to-morrow for their cantonments on the banks of the Elbe.

I have, &c.

(Signed) HENRY F. HOWARD.

Inclosure in No. 396.

STATEMENT of the Composition of the Royal Hanoverian Army Brigade to be sent as a Corps of Federal Execution to Holstein.

Numerical Strength.	Classification.	Men.		Horses.	
		Combatants.	Non-Combatants.	Officers'.	Troop.
51	A.—Staff of the Army Brigade	7	44	49	42
816	B.—Cavalry (2 regiments of 3 squadrons)	750	66	140	770
4,850	C.—Brigade Staff, 2 battalions of Riflemen, 4 battalions of Infantry of the Line	4,677	173	136	272
161	D.—Pioneer Company	97	64	3	102
653	E.—Artillery (Staff, 2 Foot Batteries of 6 pieces, 1 Horse Battery of 4 pieces, Ammunition Column)	480	173	29	604
146	F.—Medical Department	—	146	3	37
38	G.—Field Hospital (for 250 patients)	—	38	13	44
13	H.—Permanent Hospital (for 250 patients)	—	13	14	1
71	I.—Commissariat Corps	—	71	—	118
152	K.—Licensed Non-military Grooms	—	152	—	—
6,951		6,011	940	387	1,990
		6,951		2,377	

No. 397.

Sir A. Malet to Earl Russell.—(*Received December* 10.)

My Lord, *Frankfort, December* 8, 1863.

I HAD the honour of reporting to your Lordship by telegram yesterday that the Diet had voted for immediate Execution in Holstein and Lauenburg.

This is a very important victory of the Moderate German Party over the Party of Action.

I learn that in the first instance only eight votes supported the joint propositions of the two Great Powers, but that two adhesions were subsequently appended to the Protocol.

The sitting was of unusual duration, and the slight details of what passed in it which have yet reached me, depict it as having been more than ordinarily agitated.

A direct proposition by Bavaria, for occupation, was negatived by a large majority.

The newspapers this morning say that the Execution is to take place without prejudice to the question of Succession. My information, however, does not allow me to state that the Austrian and Prussian proposition made any direct allusion to the question of Succession, though Count Rechberg's language in the Vienna papers distinctly enunciates this principle, that it would remain in suspense, which his Excellency apparently thought would reconcile some of the advocates of strong measures to the more moderate course he had proposed.

There is a violent explosion of anger among all that party which looks on the death of King Frederick of Denmark as an occasion of separating Schleswig and Holstein from the Danish Crown, at any less stringent measure being adopted towards Denmark than occupation; and it is to be feared that the Execution will be taken advantage of to raise disturbances in Schleswig, which, as I have already remarked to your Lordship, will excite the agitation now prevailing in Germany to a degree that the Governments will find it hard to control, even if they had the wish to do so.

In this state of things, it seems more than unfair that the question of the Augustenburg Succession should be judged by the Diet. So many members of the Confederation are declared partizans of Prince Frederick's pretensions that impartiality is not to be expected, and their decision is, so to say, taken beforehand.

I beg further to state that the thesis of Danish bad faith discharging from all obligations to the London Treaty of 1852, is largely supported according to the theory put forward in this respect by M. de Beust.

I have, &c.
(Signed) A. MALET.

No. 398.

Sir A. Malet to Earl Russell.—(*Received December* 10.

(Extract.) *Frankfort, December* 8, 1863.

IN this sitting the protest of the Danish Envoy, against his own exclusion from the Diet, was presented by the President, and I learn that the Assembly decided that it should be regarded as a non-official communication to be inserted in the minutes of proceedings, but on which no action should be taken.

A similar course was adopted in respect of certain communications made to the Diet on behalf of Prince Frederick of Augustenberg, by the Baden Minister, claiming to act as his Minister, in his pretensions to the Dukedoms of Schleswig and Holstein.

No. 399.

Earl Russell to Earl Cowley.

My Lord, *Foreign Office, December* 10, 1863.

I TRANSMIT herewith to your Excellency copies of instructions which I have addressed to Lord Wodehouse,* who has been appointed by Her Majesty to proceed on a special mission to Copenhagen, to congratulate the King on his accession to the Throne, and at the same time to endeavour to effect a settlement of the difficulties which have so long existed between Denmark and the German Confederation.

Your Excellency may read these despatches to M. Drouyn de Lhuys, and also to the Emperor, if His Imperial Majesty should wish it. But you must not give copies of them.

I am, &c.
(Signed) RUSSELL.

No. 400.

Sir A. Malet to Earl Russell.—(*Received December* 11.)

My Lord, *Frankfort, December* 9, 1863.

I FIND that in the joint Austrian and Prussian Resolution for immediate Execution in Holstein, adopted by the Diet on Monday last, as reported to your Lordship in my despatch of yesterday's date, there was a reserve made as respects the decision upon the Succession question by competent authority; a point on which I was imperfectly informed when I wrote the despatch above referred to.

I am further informed that a proposition was made in the same sitting by Saxe-Weimar and Meiningen, and referred to the Committee, to withhold recognition of either the King of Denmark or of Prince Frederick of Augustenburg, as Duke of Lauenburg, and to put the Duchy under Federal Administration, to await an "Austragal" decision on the right of Succession.

I have, &c.
(Signed) A. MALET.

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* Nos. 393 and 394.

No. 401.

Sir A. Malet to Earl Russell.—(*Received December* 11.)

My Lord, *Frankfort, December* 9, 1863.

THE withdrawal of the Patent of the 30th of March, by the King of Denmark, was known here by telegram on Monday; but although most, if not all, the members of the Diet knew the fact, I am positively assured that no allusion whatever to it took place among them during that day's sitting.

The exclusion of the Danish Minister throws an obstacle in the way of communications being made to the Diet from the Danish Government, which may prove seriously inconvenient.

In reference to the above referred to important measure, for instance, I am told that there is no other channel of official communication than through one or other of the Great Powers.

I was assured yesterday that the withdrawal of the Patent would not affect the Diet's resolution to proceed to immediate Execution.

I have, &c.
(Signed) A. MALET.

No. 402.

Lord A. Loftus to Earl Russell.—(*Received December* 12.)

(Extract.) *Munich, December* 8, 1863.

BARON SCHRENK distinctly stated that the Federal Execution would not be held to imply a recognition of the rights of the present King of Denmark to the Duchies of Schleswig-Holstein, and that the question of Succession to the Duchies must be reserved until its decision by the Diet.

Baron Shrenck ended by saying that as long as the Duchies remained attached to the Danish rule, there would always remain the same national grievance, which would serve as a continual incentive to popular agitation in Germany.

No. 403.

*Earl Russell to Lord Bloomfield.**

My Lord, *Foreign Office, December* 12, 1863.

IN the course of a conversation which I had yesterday with the Danish Minister he informed me that he had been given to understand that Her Majesty's Government had stated to the Austrian and Prussian Governments that the Treaty of London ought, in their opinion, to be observed, and that no connection should be allowed to exist between that Treaty and the engagements entered into in the years 1851-52.

I told M. Bille that Her Majesty's Government considered that the Treaty of London ought to be observed, and so also ought the engagements entered into in 1851-52, without making the one engagement at all dependent on the other.

M. Bille then read to me an extract of a despatch which he had received from M. Hall, stating that if a Federal Execution were placed on the grounds of the violation by the King-Duke of his Federal obligations, Denmark would in that case submit to the superior forces which Germany could bring against her.

But if, on the contrary, that Execution took place on the ground of disputing His Danish Majesty's Succession to the Duchies, Denmark must, in such a case, resist it, however infirm she might be in strength.

I informed M. Bille that I understood that the violation of Federal obligations was the ground of the Execution, and that the decision of the Diet, which was only carried by a majority of one vote, had turned upon this point, and if my information were correct much bloodshed might be avoided.

I, however, told M. Bille that Her Majesty's Government could not pretend to advise the Danish Government not to resist Execution, but that as far as my own personal opinion went, I thought that such resistance would be, at least, imprudent, and would only increase and aggravate the present difficulties.

I am, &c.
(Signed) RUSSELL.

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* A similar despatch was addressed to Sir A. Buchanan.

No. 404.

Lord Napier to Earl Russell.—(*Received December* 14.)

My Lord, *St. Petersburgh, December* 3, 1863.

YESTERDAY the Emperor granted an audience at Tsarskoe Zeloe, to Lieutenant-General de Hegerman Lindencrone, who has been sent on an extraordinary mission to this Court to announce the accession of His Majesty the King of Denmark.

M. d'Ewers, who has been charged by the Emperor with a mission of felicitation to His Danish Majesty, will leave St. Petersburgh for Copenhagen to-day.

M. d'Ewers was formerly Russian Chargé d'Affaires at the Court of Denmark.

I have, &c.

(Signed) NAPIER.

No. 405.

Sir A. Paget to Earl Russell.—(*Received December* 14.)

My Lord, *Copenhagen, December* 9, 1863.

I SAW M. Hall on Saturday last, the 5th instant, and his Excellency then informed me that the King had sanctioned the withdrawal of the Patent of the 30th of March at the Council held the day before, but before giving effect to His Majesty's orders he wished to ask me if I really thought that under present circumstances the revocation of the Patent would be of any use. To him, he must confess, it appeared that it would be now considered by Germany as quite illusory to do so, because since the passing of the Constitution, the Patent had become of very little importance.

I replied that I entirely concurred in the truth of the last observation, and I could not say that I anticipated any great good to result from the revocation of the Patent at the present time; but that nevertheless as the Patent was mentioned in the Decree of the Diet as a reason for an Execution, it might perhaps be as well to recall it, for so long as it was in existence the Diet might truly say that the Danish Government had disregarded their demands on a purely Federal matter.

Therefore, although the recall of the Patent might now in point of fact be considered as a question of form, I certainly thought the Danish Government would do well to place themselves in the right respecting it.

M. Hall assented to this view, and said that the Patent should accordingly be at once withdrawn.

I have, &c.

(Signed) A. PAGET.

No. 406.

Sir A. Paget to Earl Russell.—(*Received December* 14.)

(Extract.) *Copenhagen, December* 9, 1863.

MY Swedish colleague called on me yesterday, and informed me of the substance of the instructions he had received from his Government relative to the proposal of Prince Gortchakoff. They were to the following effect:—That His Swedish Majesty having already sent a special Envoy to compliment King Christian on his accession, he could not of course repeat a mission of a similar character; and that with regard to any suggestions which it might be thought desirable to make to the Danish Government relative to the accomplishment of their previous engagements, His Swedish Majesty's accredited Minister to the Court of Denmark would receive the necessary instructions.

No. 407.

Sir A. Paget to Earl Russell.—(*Received December* 14.)

My Lord, *Copenhagen, December* 9, 1863.

I HAVE the honour to inform your Lordship that M. Hall expressed much satisfaction on learning Lord Wodehouse's mission to Copenhagen, with which I acquainted him in compliance with your Lordship's instructions of the 4th instant.

I have, &c.

(Signed) A. PAGET.

No. 408.

Lord Bloomfield to Earl Russell.—(*Received December* 14.)

My Lord, *Vienna, December* 9, 1863.

I HAVE the honour to inform your Lordship that a deputation from the Municipal Council of Vienna, headed by the Burgomaster, was admitted on the 7th instant to an audience of the Emperor for the purpose of presenting the Address praying His Imperial Majesty to sympathize with and aid the inhabitants of Schleswig-Holstein, of which a copy was inclosed in my despatch of the 3rd instant.

In his reply His Imperial Majesty is reported to have spoken to the effect that having so often expressed himself on the subject, he did not think it necessary to give any further assurances that in this question, as in others, he would conscientiously fulfil his duty as a German Prince in preserving to the best of his power the Constitutional privileges of the Duchies. At the same time he could not upon this occasion repress the observation that great confusion prevailed in the Municipal Council of Vienna, and that it would be much better were the Council, instead of discussing abstract political questions or other matters which did not lie within its province, to devote itself to the affairs of the municipality.

I have, &c.
(Signed) BLOOMFIELD.

No. 409.

Lord Bloomfield to Earl Russell.—(*Received December* 14.)

My Lord, *Vienna, December* 10, 1863.

WITH reference to my telegrams of the 7th and 8th instant, reporting the failure of M. d'Irminger to obtain an audience of the Emperor of Austria to deliver a letter from King Christian IX, notifying his accession to the Throne of Denmark, I have the honour to inform your Lordship that M. d'Irminger, finding the Austrian Government did not choose to reconsider their decision, left Vienna yesterday on his return to Copenhagen by way of Wiesbaden, Dresden, and Berlin, at which latter place he hopes to find instructions for his further guidance.

He called upon me yesterday morning and described his first interview with Count Rechberg, which took place on Monday, as having made a painful impression on him. After delivering to Count Rechberg the copy of the letter of notification, he was told by his Excellency that the Emperor could not receive this letter until Denmark had fulfilled the engagements which she had contracted towards Germany. M. d'Irminger replied that he was not charged with a diplomatic mission, that he was not a political agent, but had been sent by his Sovereign with a letter of courtesy, and that he could not understand the objection to grant him the audience which he requested.

M. d'Irminger was then assured that the Emperor would be ready to receive him as a private individual, but not officially; upon which he retired, and left Count Rechberg under the impression that it was his intention at once to depart from Vienna. It appears, however, that after consultation with General Bülow, the Danish Minister here, M. d'Irminger made a written communication to Count Rechberg, in order that he might be the better enabled to explain at home the proceedings of the Austrian Government. Instead of writing to M. d'Irminger, Count Rechberg requested him to call on him again at the Foreign Department. Upon this occasion he was received with the greatest courtesy, but this second interview was unattended with better success than the first one.

Count Rechberg's language with reference to M. d'Irminger's departure is, that it does not indicate any change in the policy of the Imperial Government. Austria holds to the stipulations of the Treaty of London of May 8, 1852, but makes her recognition of that Act of Succession conditional on the fulfilment by Denmark of all the engagements which she contracted with Germany previous to the signature of the Treaty; the one being, as he considers, bound up with and inseparable from the other.

I may observe, however, that there are persons in official station here who pretend that the non-fulfilment by Denmark of her engagements might have serious consequences, not only as affecting the Succession in the Duchies but also in the Kingdom, because the Treaty of London was negotiated for the maintenance of the integrity of the Monarchy; and if the Treaty were set aside in one part, Pretenders might step forward to claim the Succession in Denmark Proper.

less with the object of raising the question than with the desire of showing the confusion that may result from the persistent refusal of the Danish Government to make those concessions to Germany that will ensure the co-operation of Austria and Prussia in giving their willing support to the Treaty of London.

I inclose for your Lordship's information an article which has been inserted in the evening edition of the "Vienna Gazette," respecting M. d'Irminger's departure from Vienna.

I have, &c.
(Signed) BLOOMFIELD.

Inclosure in No. 409.

Extract from the Vienna "Evening Post" of December 12, 1863.

(Translation.)

WE learn that the Danish Chamberlain, General Von Irminger, has been received by the Imperial Minister for Foreign Affairs, and that his Excellency expressed a wish for an audience with His Imperial and Royal Apostolic Majesty, for the purpose of delivering the letter in which His Majesty King Christian IX announces his accession to the throne. As, however, the Imperial Minister for Foreign Affairs drew the attention of the Envoy to the fact that the Imperial Austrian Court could only be in a position to admit the right of the Court of Copenhagen to appeal against the German Powers to the Treaty of London of May 8, 1852, when those obligations had been fulfilled which had formed the preliminary conditions to the consent of the German Powers to that Treaty, and that therefore the reception of the Royal letter of announcement must necessarily be postponed, M. d' Irminger declared that under these circumstances he was obliged to give up the idea of the audience he desired, and he yesterday left our capital.

No. 410.

Lord Bloomfield to Earl Russell.—(Received December 14.)

My Lord, *Vienna, December* 10, 1863.

WITH reference to your Lordship's telegram, in which you state that if there is to be a Federal Execution it should be on the ground of Federal obligations violated, I have the honour to inform your Lordship that I have mentioned to Count Rechberg the substance of your Lordship's observation.

His Excellency said the Execution would take place on the grounds you had stated, and that all possible care would be taken that no doubtful territory or disputed part of the frontier should be occupied by German troops, but he said he could not deny that some difficulty might arise respecting a portion of the works of Rendsburg, which were unquestionably situated in the territory of Holstein; and he regretted extremely that a suggestion which he had made at Berlin last summer, with a view to the present complication, had not been taken up by the Prussian Government, because an explanation on this very point might have been obtained, but the moment was thought inopportune at Berlin for entering upon a negotiation of this nature, and the subject was dropped.

As to the raising of insurrectionary cries, or throwing off the authority of the King-Duke, who was now in possession, there was certainly no such intention existing with the Austrian Government, the Execution would be carried out according to the usual legal forms of the Bund; but his Excellency asked if I thought there would be any resistance on the part of the Danish authorities. If there was, he added, of course the complications will be great and war may be the consequence, and the Treaty of Succession and all other engagements would then disappear.

I replied that I knew nothing of the intentions of the Danish Government, or what course they would follow when the Federal Commissioners appeared at the frontier. I could only hope that in face of the overwhelming force which Germany might bring against them, the Danes would see the prudence of withdrawing across the Eider without offering an useless resistance.

Count Rechberg told me that the Emperor had resolved to place the whole of the Austrian Contingent, which he observed would be 26,000 (not 25,000) strong, under the supreme command of Prince Frederick Charles of Prussia and that he should

instruct General Gablenz to consider himself completely under His Royal Highness's orders, for there was to be no divided command. The Prince would have to bear all the political as well as the military responsibility of the Federal Expedition.

With reference to any partizan cries that might be raised, he said he could answer for the discipline of the Austrian troops, and he hoped also of the Prussian troops, but he could not say the same for the Saxons and Hanoverians. . . I understand that to guard against any fraternization between the Austrian soldiers and the Holsteiners, it is intended that the Imperial advanced brigade shall be composed of Hungarian and Polish Regiments.

I have, &c.

(Signed) BLOOMFIELD.

No. 411.

Lord Bloomfield to Earl Russell.—(*Received December* 14.)

(Extract.) *Vienna, December* 10, 1863.

WITH reference to my telegram of this day, I have the honour to inform your Lordship that Count Rechberg said it was impossible for him to explain in detail the exact proposals which might be made for an arrangement of the differences with the Danish Government, but that he had given *carte blanche* to Count Karolyi, and that, without any necessity of referring to Vienna, he and M. de Bismarck would together decide on the suggestion to be made to Lord Wodehouse. I told him that his Lordship would be at Berlin to-morrow night and leave for Copenhagen on Sunday morning, and that if there were any further directions to be given he could send them by the messenger whom I should myself despatch this afternoon to Berlin. He replied that Count Karolyi was fully empowered to do all that was necessary.

I believe Baron Brenner, the Austrian Minister at Copenhagen, is a man of moderate and conciliatory opinions.

No. 412.

Lord Bloomfield to Earl Russell.—(*Received December* 14.)

My Lord, *Vienna, December* 10, 1863.

THE various troops composing the Austrian contingent to the Federal army about to be employed in the Execution in Holstein have already received orders to hold themselves in readiness to march. They consist of four brigades of Infantry, one of Cavalry, and seven batteries of Artillery, and with the Rifle Battalions, Sappers, and Sanitary Corps which will be attached to them, muster about 26,000 strong. It is reported here that Prussia will supply 32,000 men, and Hanover and Saxony 6,000 each, which with the Austrian troops will form an army of about 70,000 men.

The General in command of the Austrian Contingent is Baron Gablenz, an officer who served with distinction in Italy. His command will, however, be confined exclusively to his own troops, as in all matters connected with the general movements of the army he will be subordinate to Prince Frederick Charles of Prussia.

Two of the brigades of Austrian Infantry will be sent from the garrison of Vienna, one from Pesth, and the fourth from Bohemia. The latter, with the greater part of the Cavalry, will march to its destination by way of Saxony, the remainder of the troops proceeding through Bavaria.

I have, &c.

(Signed) BLOOMFIELD.

No. 413.

Sir A. Buchanan to Earl Russell.—(*Received December* 14.)

(Extract.) *Berlin, December* 10, 1863.

AT a recent interview with M. de Bismarck I said I had been informed that the Prussian troops which had been mobilised amounted with their reserves to

45,000 men, the reserves being composed of about 10,000, and that they were provided with 112 guns and all other material for a campaign in a proportion which would be sufficient for a very much larger force.

His Excellency replied that the organization of the Prussian army did not admit of the material of war being provided to a corps with a view to its force in men being afterwards increased; but when I questioned him as to details I found that the estimate given to me of the force which has been placed upon a war footing has not been exaggerated.

He said that 5,000 Austrian and 5,000 Prussian troops would form the first supports to the Saxons entering the Duchy, and that about 30,000 Prussians would be ready to support their own troops, and that the 35,000 men would bring together 96 guns into the field.

An Austrian corps in reserve will amount to 15,000 men, and the whole army will be under the command of Prince Frederick Charles of Prussia, an arrangement which is said to have given great satisfaction to the King.

No. 414.

Sir A. Buchanan to Earl Russell.—(Received December 14.)

My Lord, *Berlin, December* 10, 1863.

I LOST no time, after receiving your Lordship's telegram of yesterday, in acquainting M. de Bismarck with the suggestion of Count Rechberg, that some understanding should be come to with the Governments of Austria and Prussia as to the proposals which might be made at Copenhagen, by Great Britain, France, and Russia, for the arrangement of the Schleswig-Holstein question, and with the hope of Her Majesty's Government that his Excellency would be able to state precisely to Lord Wodehouse what would be required of Denmark to establish the preliminaries for a friendly settlement.

I also called upon his Excellency this morning to ascertain whether he had heard anything on the subject from Vienna.

M. de Bismarck said he had spoken of the wish of Her Majesty's Government to the Austrian Minister, who had telegraphed to Vienna for instructions; and when I endeavoured to ascertain his Excellency's views with respect to it, he said, that unless Lord Wodehouse could induce the Danish Government to prevent the new Danish Constitution from coming into force on the 1st of January next, his mission to Copenhagen would be fruitless. I suggested that it was perhaps expecting too much, in the present state of public feeling in Denmark, that the King could revoke the Constitution without his being allowed time to communicate with the leading members of the Rigsraad, and to convince them of the necessity for such a measure; but his Excellency replied that His Majesty must change his Ministers and find others who would do what was required for the maintenance of the integrity of the Monarchy, without fear of public opinion, for if the Prussian Government had given way to the public opinion of Prussia, or to a vote of the Chamber of Deputies, they would have already proclaimed war to Denmark in support of the pretensions of the Prince of Augustenburg.

I have, &c.

(Signed) ANDREW BUCHANAN.

No. 415.

Sir A. Buchanan to Earl Russell.—(Received December 14.)

My Lord, *Berlin, December* 10, 1863.

WITH reference to your Lordship's telegram of the 8th instant, on the subject of the Federal Execution about to take place in Holstein, I called yesterday upon M. de Bismarck and expressed to him the opinion of Her Majesty's Government that it should only have reference to Federal obligations which had been violated.

I said that your Lordship was also of opinion that the troops of the Confederation would not occupy any disputed or mixed territory on the frontier, or at Rendsburg; and I reminded his Excellency that he had himself at one time spoken of the expediency of the Execution not being extended to Rendsburg. M. de Bismarck replied that there would probably be no difficulty in occupying the frontier generally, so as to avoid any risk of collision with the troops of Denmark, but that he was not prepared to give me an answer as to what might be necessary at Rendsburg.

I said it was very unlikely that the Danish garrison would be withdrawn from a town which was considered by Denmark as part of the Duchy of Schleswig; and that while Her Majesty's Government would be negotiating at Copenhagen to prevent war, they would have a right to expect that nothing should be done by the Governments of Germany to provoke it.

To this his Excellency replied that there would be no necessity for haste in the movement of the Federal troops towards the North, and that the occupation of Rendsburg might be made dependent on the progress of the negotiations at Copenhagen and the prospect of a satisfactory arrangement.

I then said there was another point to which I had to call his attention, and that Her Majesty's Government trusted that no permission would be given to raise insurrectionary cries in Holstein, or to throw off the control of the King of Denmark, who was, as *de facto* Sovereign, in possession of the country. M. de Bismarck replied that he believed the King would approve of precautions being taken against any revolutionary movements in the Duchy, and that he hoped some Federal orders might be issued from Frankfort on the subject; but that the nature of an Execution involved the cessation of the authority of the Sovereign of the territory occupied, and its entire transfer to the officers of the Confederation, who would conduct the administration while the Federal troops remained in it.

I have, &c.
(Signed) ANDREW BUCHANAN.

No. 416.

Sir A. Buchanan to Earl Russell.—(*Received December* 14.)

(Extract.) *Berlin, December* 12, 1863.

I HAD the honour of informing your Lordship by telegraph that the Prussian Government had asked for authority to raise a loan of twelve millions for the Federal Execution, and that the Bill was referred to a Committee.

The Committee met last night, the Ministers of Finance and War having been invited to attend it, and they adjourned till Monday, after having heard the Report, in order that they might invite the Minister for Foreign Affairs to give them, at their next meeting, some precise explanations as to the policy which the Government intend to pursue, as a necessary preliminary to their entering upon the general discussion of the question.

The general impression seems to be, that the authority to raise the loan will be refused.

No. 417.

Sir A. Buchanan to Earl Russell.—(*Received December* 14.)

My Lord, *Berlin, December* 12, 1863.

I HAVE the honour to transmit to your Lordship herewith a translation by Mr. Morier of the identic note addressed by Austria and Prussia to the remaining Governments of the Confederation on the Schleswig-Holstein question, and a copy of which was published here in the "Stadts Anzeiger."

I have, &c.
(Signed) ANDREW BUCHANAN.

Inclosure in No 417.

Identic Note addressed by Prussia and Austria to the German Courts.

[See Inclosure in No. 389.]

No. 418.

Sir A. Paget to Earl Russell.—(*Received December* 14.)

(Extract.) *Copenhagen, December* 10, 1863.

IN an interview I had with M. Hall on Monday last, the 7th instant, I strongly urged upon his Excellency that from motives of prudence, without reference to the

question of right, the Danish Government would do wisely to refrain from resistance in Holstein and withdraw their troops to Schleswig, no matter what title or denomination should be given to the occupation of the former Duchy by the troops of the Confederation.

I said that from the copies of the despatches which I had received from Her Majesty's Ambassadors at Vienna and Berlin, the Austrian and Prussian Governments intended apparently to adhere to the Treaty of London, but that the fermentation in Germany was so strong that it was necessary that some satisfaction should be given to the public feeling, and it was thought to be as much in the interest of the King of Denmark as in that of all the parties concerned, that an occupation of the Duchy of Holstein by regular troops should take place. If this course was not adopted, Free Corps would enter the Duchy, and if they were defeated by the Danish troops there would be a movement throughout Germany which it would be beyond the power of any of the Governments to control; these Governments would be forced to support the Free Corps. Whereas, if the Danish Government permitted the German troops to occupy Holstein without resistance, the Governments who furnished them ought to be responsible for the safe keeping of the Duchy, for the prevention of insurrectionary movements, and for its restoration to the Danish Crown at the conclusion of the negotiations. The separation of Holstein alone from Denmark, I added, was not, as his Excellency was aware, the aim of Germany, and consequently as long as the occupation was confined to that Duchy, Denmark had every security for the safety of the Succession question; and if an attack upon Schleswig was made, the other Powers could then interfere on ground which was incontestably beyond the limits of the Confederation.

M. Hall replied that he would not contest the force of this reasoning; but if there was a strong feeling in Germany there was likewise a strong feeling in Denmark, and it was not a sufficient reason that the German Governments were unable to control the popular movement, that the King of Denmark's authority in his own dominions should be unjustifiably usurped.

I have seen M. Hall again this morning, and spoken to him on the same subject. I said I considered the situation of affairs much ameliorated since I had last seen him, by the adoption, at the Diet, of a simple vote of execution, instead of occupation. It was a proof, in the first place, that the less violent views of Austria and Prussia had a better chance of being listened to, and implied an acknowledgment, though an indirect one, of the sovereignty of His Danish Majesty in Holstein. Under these circumstances, therefore, I trusted I might rely upon his Excellency recommending the King to adopt the course which was dictated by both prudence and interest, that of not opposing the Execution by force.

M. Hall said he was ready to admit that an Execution having been voted instead of an occupation somewhat simplified matters; for if an occupation had been resolved upon, it would have been almost impossible not to have opposed it. It was to be presumed, his Excellency continued, that a notification before the entry of the troops would be addressed to the Danish Government through the Austrian and Prussian Ministers here, as the Danish Envoy was no longer admitted at the Diet, and when this notification was received I might rely upon his giving counsels of prudence and moderation. Whatever course was adopted, however, he felt convinced, he said, that war must come at last.

I replied that Denmark would, at all events, have a better chance of securing the assistance of the Powers alluded to by retiring beyond the limits of the Confederation than if she provoked a war by resisting what might be considered the legitimate authority of the Diet on Federal territory.

M. Hall did not dispute this.

My French and Russian colleagues inform me that they have spoken to M. Hall in the same sense.

No. 419.

Sir A. Paget to Earl Russell.—(Received December 14.)

(Extract.) *Copenhagen, December* 10, 1863.

CAPTAIN IRMINGER, who was sent to Berlin and Vienna to announce His Danish Majesty's accession, has not been received at the former Court; and, from information which M. Hall has received this morning, it appears doubtful if he will be at the latter.

This, of course, places the Danish Government in a position of much embarrassment, for if these Courts refuse to receive the Special Envoy announcing the death

of the late King and the accession of the reigning one, they will also refuse to receive the credentials of the regular Diplomatic Agents; and the question arises as to how diplomatic relations can then be carried on.

In addition to the remarks which I ventured to make in my despatch of the 3rd instant, as to the impossibility of making the Treaty of 1852 dependent on the realization of what was agreed to in the negotiations of 1851-52, I cannot help observing that the closer one examines into the transactions connected with the Treaty, the more this impossibility becomes manifest. The Protocol of London of the 2nd of August, 1850, which was the substance of the Treaty, was acceded to by Austria on the 23rd of that month, consequently above a year before the negotiations with the Danish Government were commenced.

No. 420.

Sir A. Paget to Earl Russell.—(*Received December* 14.)

My Lord, *Copenhagen, December* 10, 1863.

WITH reference to the protest received by M. Hall from the Grand Duke of Oldenburg, and referred to in my despatch of the 23rd ultimo, against the Succession of King Christian IX to the Duchies, I have the honour to inclose herewith a translation by Mr. Scott, of the Act of Renunciation signed, in respect of these territories, by the Grand Duke of Oldenburg on the 28th of March, 1854.

I should also inform your Lordship that the Prince of Saxe-Meiningen has recently become a Pretender to the Duchy of Lauenburg, and has addressed to the King of Denmark a claim to the Succession in that Duchy.

I have, &c.

(Signed) A. PAGET.

Inclosure in No. 420.

Act of Renunciation of the Grand Duke of Oldenburg.

(Translation.)

WE Nicholas Frederick Peter, by the grace of God Grand Duke of Oldenburg, heir to Norway, Duke of Schleswig, Holstein, Stormarn, the Dithmarshes, and Oldenburg, Prince of Lübeck and Birkenfeld, Lord of Jever and Kniphausen, &c., &c., hereby declare and acknowledge for us and our descendants—

Seeing that our father, now with God, His Royal Highness and Grace Grand Duke Paul Frederick August, in recognition of the motives which guided the High Contracting Powers at the conclusion of the Treaty entered into at London on the 8th of May, 1852, and in consideration of the difficulties which, in view of the eventual Succession in the territories now under the rule of His Majesty King Frederick VII of Denmark, it was the object of that Treaty to remove, did for himself and his descendants renounce his and their eventual rights of Succession in favour of His Highness Prince Christian of Schleswig-Holstein-Sonderburg-Glücksburg, and of his heirs male in direct line by his marriage with Her Highness the Princess Louise, born Princess of Hesse, in the event of His Highness Prince Christian or his said male heirs ascending the Throne of Denmark, and as long as they shall be in possession of the same, and did in all other respects conform to the Treaties concluded on the 11th of April, 1767, and 21st May, 1773, concerning the exchange of the counties of Oldenburg and Delmenhorst. And we do not refuse to acknowledge as binding on us, and to renew in a solemn act our share in the eventual renunciation of our father of blessed memory.

We do therefore hereby renounce for ourselves and descendants our eventual rights of Succession in favour of His Highness Prince Christian of Schleswig-Holstein-Sonderburg-Glücksburg, now Prince of Denmark, and of his heirs male in direct line by his marriage with Her Highness Princess Louise, born Princess of Hesse, in the event of His Highness Prince Christian or his said heirs male ascending the Throne of Denmark, and as long as they shall remain in possession thereof, and in all other respects do conform ourselves to the above-mentioned Treaties of 11th April, 1767, and of 21st May, 1773.

In witness and confirmation whereof we have signed this Act of Renunciation with our own hand and caused it to be sealed with our Grand Ducal seal.

Given at the Castle of Oldenburg, 28th March, 1854.

(Signed) N. F. PETER.

(Countersigned) VON ROSSING.
MUTZENBECKER.

No. 421.

Mr. Ward to Earl Russell.—(*Received December* 14.)

My Lord, *Hamburgh, December* 10, 1863.

THE last numbers of the official Danish "Gazette" for the Duchies of Holstein and Lauenburg contain several Royal and Ministerial Proclamations, having reference to the political state of the Duchies, which have been subsequently published in the Altona "Mercury" of the 8th instant, viz. :—

1. A Royal Proclamation dated Copenhagen, December 4, addressed to the inhabitants of Holstein, notifying the King's intention to maintain the integrity of the Danish Monarchy; regretting that so many official persons had refused the oath of allegiance; appealing to the loyalty of the people in general; and intimating the Royal design that in a Constitutional sense Holstein shall enjoy an equal degree of independence with the rest of the Monarchy. The King, however, does not more particularly explain his Royal intentions in this respect.

2. An instruction from the Minister, M. Hall, dated the 5th December, to the Local Government of Holstein at Plön touching the oath of allegiance, reprehending the behaviour of those officials, clergy, &c., who had not taken the oath within the three days allowed for that purpose, and directing the Local Government to ascertain all the circumstances more particularly, and report thereon. The effect of this is to give time for the public servants to reconsider the line of conduct pursued by them.

3. A Proclamation of the Local Government of Holstein dated Plön the 2nd of December, prohibiting the importation of arms and ammunition into the Duchy until further orders. A copy in translation of this Proclamation, as published in the "Altona Mercury" of the 8th instant, is herewith inclosed. A similar Proclamation for the Duchy of Lauenburg was published in the official newspaper of that Duchy dated Ratzburg, 2nd December instant.

4. A Royal Rescript dated Copenhagen, 4th December, addressed to the Minister for Holstein and Lauenburg, commending the loyalty manifested by the inhabitants of the latter Duchy towards the King on the occasion of His Majesty's accession to the Throne, which Rescript was made public by Ministerial Proclamation of the same date. The States of Lauenburg have, however, not yet acknowledged the King's title.

5. A Royal Proclamation dated Copenhagen, December 4th, annulling the Ordinance of March 30, 1863, which isolated the Duchy of Holstein constitutionally from the rest of the Monarchy. This repeal unfortunately comes too late to have any effect upon the Federal Execution now resolved upon by the Germanic Diet.

At the present moment, the expectation of the passage of the army of Execution naturally occupies the minds of the citizens of Hamburgh. The Senate has already made dispositions for providing quarters for the troops which may arrive here. It is believed that the Danish garrison now stationed in Altona will at once retire on the near approach of the Federal troops.

The report put into circulation of several thousand volunteers having been enlisted at Hamburgh for the Schleswig-Holstein cause, is greatly exaggerated. About 100 men, as I am informed, offered their services to the Schleswig-Holstein League; but the police promptly interfered, and closed the bureau of the League upon mere suspicion of its being used as a place of enlistment.

If the rumours prevalent here are true, that it is the intention of the King of Bavaria and other German Sovereigns to march an army of their own into Holstein (independently of the army of Execution) for the purpose of establishing the rights of the Duchies and of the Prince of Augustenburg, then, of course, it may be expected that many thousands of volunteers from all parts of Germany will likewise put themselves into motion in aid of the regular troops.

I have, &c.
(Signed) J. WARD.

P.S. December 11.—The rumours above mentioned continue to prevail here. It is believed to be the intention of the Prince of Augustenburg, as soon as Holstein shall be occupied by the Federal troops, to make his personal appearance in the Duchy, and to appeal to the loyalty of the inhabitants; and it is confidently affirmed that the Prince has already secured the active support of the principal Governments which voted for occupation in the sitting of the Federal Diet of the 7th instant.

J. W.

Inclosure in No. 421.

Proclamation.

(Translation.)

BY order of the Royal Ministry for the Duchies of Holstein and Lauenburg, the importation of arms and ammunition into the Duchy of Holstein is hereby prohibited until further order.

Plön, December 2, 1863.

The Royal Holstein Government,
(Signed) SCHULZE.
ROSEN.
WURGER.

No. 422.

Mr. Murray to Earl Russell.—(*Received December* 14.)

(Extract.) *Dresden, December* 11, 1863.

IN reference to the Schleswig-Holstein question, although the events of the last week, especially the attitude assumed by Austria and Prussia, and the revocation on the part of Denmark of the Proclamation of March 30, have tended to calm the excitement which had been aroused throughout Central Germany; nevertheless the flame is still fanned by the original promoters of the movement, and by a considerable portion of the press. Among the secondary Powers none has shown more anxiety to nullify the provisions of the Treaty of 1852, than Saxony, and the reports of the late proceedings at the Diet will have shown your Lordship that the Representative of this Government has taken a leading part in urging the Confederation to take prompt and extreme measures in respect to the Duchies.

No. 423.

Sir H. Howard to Earl Russell.—(*Received December* 14.)

My Lord, *Hanover, December* 11, 1863.

ON the 9th instant His Majesty the King of Hanover, attended by a numerous Staff, reviewed on the Waterloo Square two battalions of Rifles and one of Infantry of the line belonging to the garrison of this Residence, and destined to form a part of the Hanoverian Contingent for the Federal Execution in Holstein, on the occasion of their departure for the cantonments on the banks of the Elbe, and addressed to the officers and men the speech of which I have the honour to inclose a translation.

It is likewise His Majesty's intention successively to review the various bodies of Hanoverian troops destined for the same service on their passage through this capital.

It is stated that the whole Hanoverian corps of 6,000 men will be concentrated on the Elbe by the 16th instant.

I have, &c.
(Signed) HENRY F. HOWARD.

Inclosure in No. 423.

Speech of the King of Hanover to the Troops of Execution.

(Translation.)

Officers, non-Commissioned Officers, and Soldiers.

I COULD not allow the marching battalions of this garrison to leave without giving myself the satisfaction of reviewing you once more, in order to express personally my thanks to the troops for the promptitude, the visible love of duty, the evident cheerfulness in its performance, and for the punctuality which, on the receipt of the order, they have displayed in repairing to their standard, and also to show my appreciation of the excellent spirit which animates you one and all.

I feel confident that you will all, each according to his rank and within his own limits, distinguish yourselves by the maintenance of the strictest discipline, as

the Hanoverian soldier has invariably done, and thereby set a bright example to others.

Should it be God's will to call you to the combat, I know that with His gracious aid you will prove yourselves worthy of the occasion as your fathers have done before you, and by doing so have—God be praised—made the military renown of Hanover so bright and glorious.

The heartiest good wishes and ardent prayers of myself and every member of my Royal Family will follow you at all times, and I wish you therefore from the bottom of my heart health and happiness.

No. 424.

Sir H. Howard to Earl Russell.—(*Received December* 14.)

My Lord, *Hanover, December* 12, 1863.

COUNT PLATEN yesterday forwarded to Berlin the identic note which he has addressed to M. Hall, the President of the Danish Ministry, on the part of the Hanoverian Government, as one of the four Governments charged with the Federal Execution in Holstein and Lauenburg, notifying to the Danish Government the Resolution of the German Diet of the 7th instant, and calling upon them to withdraw their troops from those Duchies within seven days from the receipt of the said note. This note, which was concerted at Frankfort, and which communicates the Resolution of the Diet without the considerations upon which it was founded, and one of which referred to the Succession question, will be forwarded from Berlin simultaneously with the identic notes of the Austrian, Prussia, and Saxon Governments.

I learnt from Count Platen this morning, that although the matter was not yet quite settled, there was every probability of Baron Münchausen withdrawing the resignation he had tendered of the post of Civil Commissary on the part of the Hanoverian Government for the Duchies of Holstein and Lauenburg. His Excellency hopes that this will be the case, for he considers that Baron Münchausen having once accepted the Commission on the basis of the Resolution of the Diet, will be well fitted, from the decision of his character, to prevent the Prince of Augustenburg from exercising any Government authority in those Duchies, and to resist their invasion by Free Corps.

I did not fail to observe to Count Platen that the Prince of Augustenburg ought to be prevented from setting his foot in the Duchies, and I referred to the engagement which his father had taken for himself and his family to take up their abode beyond the dominions of His Danish Majesty.

Count Platen asserts that the military measures for carrying out the Execution remain as hitherto decided upon, but that of course if Denmark should resist it, an overwhelming force will be sent into the Duchies.

I have, &c.
(Signed) HENRY F. HOWARD.

No. 425.

Earl Cowley to Earl Russell.—(*Received December* 14.)

My Lord, *Compiègne, December* 11, 1863.

GENERAL FLEURY, Aide-de-camp to the Emperor, is to proceed to Copenhagen to compliment King Christian IX on his accession to the Throne of Denmark. I am informed that his instructions are to endeavour to effect an arrangement in conformity with the views expressed by the Russian Government.

I have, &c.
(Signed) COWLEY.

No. 426.

Sir A. Malet to Earl Russell.—(*Received December* 14.)

My Lord, *Frankfort, December* 11, 1863.

M. DE MÜNCHAUSEN, the Hanoverian Civil Commissioner for Execution in Holstein and Lauenburg, has thrown up his appointment.

It is said that the motive which has led him to take this step is disapproval of the Diet's vote for Execution; but it is a matter altogether unimportant, as the Hanoverian Government will immediately name another Commissioner, so that the formal business of the Execution will suffer no delay.

The troops ordered for this duty are already in movement, and, as I learn, will be assembled on the Elbe to-morrow, and the few following days.

On the 14th, if I am rightly informed, a final summons will be made to the Danish Government to withdraw their troops from the Duchies, fixing a term of seven days for compliance; at the expiration of that term the Corps of Execution will enter Holstein and Lauenburg.

I have, &c.
(Signed) A. MALET.

No. 427.

Sir A. Malet to Earl Russell.—(*Received December* 14.)

My Lord, *Frankfort, December* 11, 1863.

THE Baden Envoy, M. de Mohl, asked me yesterday if I would accept from him, and forward to your Lordship, an official notification of the accession of Prince Frederick of Augustenburg as Duke of Holstein, &c., as he was charged to ascertain if I would receive such a communication.

I told his Excellency that I would report his having so done to your Lordship, but that unless I received orders to accept it I must decline receiving any such communication.

I have, &c.
(Signed) A. MALET.

No. 428.

Sir A. Malet to Earl Russell.—(*Received December* 14.)

My Lord, *Frankfort, December* 12, 1863.

THERE is no change to report in the aspect of affairs in Germany, as far as regards the dispute with Denmark, unless it were to say that the exasperation and ill feeling on both sides rather increases than otherwise.

The refusal to receive the Envoy charged to announce the King of Denmark's accession both at Berlin and Vienna, while affording gratification to existing German feeling, cannot be otherwise than deeply resented by King Christian IX and his subjects.

There is to be a meeting of Delegates from all parts of Germany held in Frankfort on the 21st instant, which assumes the form of a Parliamentary assembly, comprising men of all parties, to deliberate and pronounce opinions on the Dano-German question, and no means will be omitted to keep alive the prevailing agitation, and to drive the Governments onward by the threat of popular disturbances, if the ruling powers showed any disposition to hang back.

I have already had the honour of informing your Lordship that it is the avowed aim of certain parties to bring on a collision with Denmark in hope of its leading to a general war, because it is thought that no other cause will unite Austria and Prussia.

This idea, I have good grounds for thinking, is still pursued, and it is hoped that the Execution in Holstein, though less likely to bring on immediate collision than a declared occupation (which is what this party desired), may still lead to this desired result either from some chance conflict in Holstein, or by provoking disturbance in Schleswig. It is also hoped that the Danish national feeling is strongly enough excited to force the Government to resist the Execution; in which case Germany will be formally justified in throwing the responsibility of commencing hostilities on Denmark.

It is in fact my duty to acquaint your Lordship that in the temper in which this Federal exertion of authority is about to be undertaken in Holstein, there is every reason to fear that opportunities for collision will rather be sought than avoided by the German Executionary Forces, and unless the Danish troops are withdrawn beyond the frontier such a result will be inevitable.

I have, &c.
(Signed) A. MALET.

No. 429.

Earl Russell to Sir A. Malet.

(Extract.) *Foreign Office, December* 14, 1863.

IN your despatch of the 8th instant, you remark that in the present state of things in Germany, it seems more than unfair that the question of the Augustenburg Succession should be judged by the Diet.

But Her Majesty's Government deny altogether any right in the Diet to judge between Christian IX, King of Denmark and Duke of Holstein, and any claimant to his Dukedom.

The existence of the Confederation dates from the Act of the Congress of Vienna of the 9th of June, 1815.

In the LIIIrd and following Articles, the nature and objects of the Confederation are defined, and the equality, as Sovereigns, of the Princes composing it is declared.

How is it that any number of these Sovereign Princes and States should claim a right to dispose of the territory of the King of Denmark, their equal?

No. 430.

*Earl Russell to Sir A. Malet.**

Sir, *Foreign Office, December* 14, 1863.

I THINK it well to observe to you that, in speaking of the Succession of Denmark, it is quite unnecessary to refer to "the London Protocol." The Treaty of London of May 8, 1852, is the document which is binding on the States who took part in it, and the name of "the London Protocol" is a nickname which has been given, apparently, to that Treaty.

I am, &c.
(Signed) RUSSELL.

No. 431.

Mr. Jerningham to Earl Russell.—(Received December 15.)

(Extract.) *Stockholm, December* 9, 1863.

I HAVE the honour to transmit to your Lordship herewith a French translation of the speech delivered yesterday by His Swedish Majesty at the closing of the Diet.

The generalizing, defensive, and pacific tone which is adopted relative to the present crisis of the Danish question appears to me simply to indicate that this Government still consider the matter to be properly and really in the hands of the Great Powers who signed the Treaty of London.

Inclosure in No. 431.

Extract from the Speech of the King of Sweden on Closing the Diet, December 8, 1863.

LE calme dont jouissait notre hémisphère, lors de l'ouverture de cette Diète, a été ébranlé pendant sa durée, et quoique nous n'ayons point été directement menacés, nous avons cependant des intérêts intimement liés au maintien de la paix et du droit public de l'Europe. Nous ne pouvons que prendre une part encore plus sincère aux graves soucis qu'engendrent les dangers dont sont assaillis le Roi et le peuple du Danemark, avec lesquels nous partageons également la douleur qu'ils éprouvent de la perte d'un Souverain bien-aimé, qui fut mon ami fidèle, ainsi que celui de la Suède.

Dans le conseil des Puissances je m'attacherai toujours à placer la voix des Royaumes Unis dans la balance de la justice : l'on ne saurait exiger que nous y placions de même notre épée, avant d'avoir calculé si le but pourrait être atteint par les moyens dont nous pouvons disposer. Mes efforts constants pour tout ce qui peut contribuer au maintien de la paix m'ont conduit à accepter l'invitation adressée par l'Empereur des Français aux Puissances Européennes pour un Congrès général.

* Similar despatches were addressed to Mr. Murray, Lord A. Loftus, Mr. Gordon, and Mr. Crowe.

(Translation.)

THE repose enjoyed by our hemisphere at the time of the opening of this Diet has, during its sitting been shaken, and although we have not directly been menaced, yet we have interests closely bound up with the maintenance of peace and the public right of Europe. We cannot but share even more sincerely the grave anxiety engendered by the dangers which menace the King and people of Denmark, with whom we equally share the sorrow they feel at the loss of a beloved Sovereign who was my faithful friend as well as that of Sweden.

In the Council of the Powers I shall always devote myself to cast the vote of the United Kingdoms into the balance of justice. We cannot be expected to cast in the sword as well, without calculating whether the end can be attained by the means at our disposal.

My constant efforts in favour of everything which can contribute to the maintenance of peace have led me to accept the invitation to a general Congress addressed by the Emperor of the French to the European Powers.

No. 432.

Mr. Gordon to Earl Russell.—(*Received December* 15.)

(Extract.) *Stuttgardt, December* 12, 1863.

I HAVE the honour to transmit herewith a despatch from Mr. Baillie, forwarding in translation an article from the "Carlsruher Zeitung," which sets forth the views of the Grand Ducal Government on the late Resolution of the Diet at Frankfort by which the Federal Execution in the Duchy of Holstein, rather than a Federal occupation of the same, was determined upon.

The Baden Representative at Frankfort voted against this Resolution, and the article inclosed herewith, although appearing in the non-official portion of the newspaper, has evidently been furnished from official sources; and, in fact, contains most of the very considerations and arguments put forward by Baron Roggenbach at an interview I lately had with him at Carlsruhe.

Baron Roggenbach, and, I am justified in adding, the Grand Duke of Baden also, consider the position in which the Schleswig-Holstein question has been placed by this Resolution of the Diet as one of great danger and difficulty, and as pregnant with consequences of the greatest importance to the balance of power in Europe. For, Baron Roggenbach argued, in addition to what appears in the inclosed article, there is the greatest risk that the opposition of Austria and Prussia to the national feeling and wishes of the whole of Germany on this question will indispose the middle and small States, Governments as well as people, so strongly against the two Great Powers that the idea which has, as yet, been scarcely broached of solving the difficulty of German unity by adopting the so-called "Trias" project (by which a Confederation of the first named collection of States only is to be formed, leaving Austria and Prussia out as separate States), it is to be much feared that this idea will be carried into effect, and so the Confederation of the Rhine be renewed under another name.

At a late sitting of the Wurtemberg Chamber of Deputies during a debate on the Schleswig-Holstein question, to which I may have to refer more particularly, the two great Powers, and especially Austria, were spoken of in terms of the strongest disapproval for their policy in urging the adoption of the Resolution of the Diet of the 7th instant, and the ferment throughout this country is in consequence very great, and I know alarms the Government much.

Although I hear much as to the state of popular feeling on this matter in other German States, it is not my province to report upon it to your Lordship, and it must, of course, depend upon whether reports reach your Lordship from the properly accredited sources in the rest of Germany containing accounts of a similar state of public excitement and opinion there also, how far anything contained in this despatch can be considered of importance. But, at all events, it is my duty to lay before your Lordship the information on the subject which I have received as regards the two States in which I have the honour of being accredited.

Inclosure 1 in No. 432.

Mr. Baillie to Mr. Gordon.

Sir, *Carlsruhe, December* 11, 1863.

I HAVE the honour to forward, herewith, in translation, an article which has appeared in the "Carlsruhe Gazette" setting forth the views of the Grand Ducal Government on the Resolution of the Diet in the sitting of the 7th instant, for a Federal Execution in the Danish Duchies.

I have, &c.

(Signed) EVAN P. M. BAILLIE.

Inclosure 2 in No. 432.

Extract from the "Carlsruhe Zeitung."

(Translation.)

THIS Resolution of the Diet does not correspond to the views we have developed, and the demands we have made.

In our judgment the common good cause, and that of the Duchies especially, has met with a severe blow, and if, as we trust, in proceeding along the path now seriously entered upon, no evil will prevails, future steps and endeavours will be especially directed to the correction of this mistake.

The affair was so simple and clear that if set about in a proper way it must infallibly have led to a right, honourable, beneficent, and noble end. The force of right, the impetus of national enthusiasm, the distinct acknowledgment by Europe of the injustice of their opponent, the wish of Europe to preserve the general peace, an object capable of no ambiguous meaning,—would have all powerfully co-operated towards a speedy success.

The Execution is destitute of all these supports. It cannot be maintained on the ground of Federal right; it has not the approbation of the German people; it gives the enemy a formal right of protest and resistance; and just because it is in itself a half measure and apparently a safe one, will Europe be more ready to show a desire to interfere than it would be in the case of a determined recourse to arms; and, finally, in the uncertainty of the object, such a one, in fact, as it is completely impossible to define, the individual steps will be devoid of everything necessary to stamp them with due weight and importance.

Neither occupation nor immediate Federal war would have threatened us with protracted complications; the spontaneous, naturally accorded, general sympathy and willingness of a great nation would have set bounds to every uncalled-for interference.

If the Execution is to be something more than a mere sham manœuvre, if a serious character is to be attributed to it, it will gradually lead from one embarrassment to another, and a state of war will nevertheless become unavoidable, but devoid of that vigorous overwhelming enthusiasm, and probably only after some of the European Powers have had time to meddle, and to allow themselves to be drawn into the game.

We must deeply lament that the favourable opportunity has been neglected and obscured, and that a course full of danger is being pursued. It does not become us now to act in opposition to this course. We have wished that in this great question which has come upon the German nation, individual opinions should step into the background, and we shall not act in opposition to this our own wish; so long, at least, as we are not threatened with a distinct surrender of sacred rights and national interests.

We must, however, make every effort so that the perils of the course adopted may be understood, and that the apprehended danger may be as much as possible diminished and avoided, and that the affair may, as soon as possible, be placed upon a better footing.

To us the modus of the Execution which has been resolved appears at best a euphemism, which can neither be sustained on logical grounds nor on grounds consistent with the rights of the Confederation. This operation, for reasons previously given, fails in respect to any legitimate object to be attained or individual to be coerced. There is now not even the appearance of a pretext for it.

The withdrawal of the Patent of March 30 made known yesterday—apart from the circumstance that, correctly speaking, Christian IX has nothing to withdraw, and that the Patent has lapsed of itself—must, in fact, have hampered the Diet in their yesterday's declaration. It was the final and immediate cause of the measures prepared on the 9th of July and resolved on October 1, and now to be carried out.

Let any one explain their proceedings who can!

The express reservation of the rights of Succession secures indeed to the Confederation their authority to recognize the same either now or afterwards in the only right way, and to give them validity. It will, however, not hinder the opposing party from interpreting and turning to account the whole proceeding as an acknowledgment of the legality of their position in their own sense. In fact, the Confederation, after having once accepted a false principle, is even unable to avoid yielding their assent to Denmark's title of possession *de facto* in Holstein. This assent is contained in the notification of the four Executing States to Denmark.

May the notification be made in the "proper" way! It is now a deciding point. On the manner in which it puts a check to the pretended rights of Christian IX and involves a rejection or suspension at least of the same, will the conduct of Denmark in quietly withdrawing from Holstein, or in a vigorous resistance on Federal German ground, depend.

We hope that the Commissioned Powers will appreciate this, and keep in mind in the exercise of their first duty,—that they have not to be guided by the particular views of their Governments, but by the judgment of the Confederation, if the Succession is undecided.

We confidently hope, that in all subsequent steps and events, complete independence of judgment and joint regard for the rights of the Duchies and Germany will prevail, and no prejudice or preconceived view be entertained.

May this hope not be disappointed.

Though by the Resolution of Execution the immediate military operations are placed in the hands of the four mandataries, the rights and duties of the rest of Germany do not by any means cease.

Germany has to keep her sympathies awake and warm, and to manifest them by her acts just as before.

The time cannot be distant when the Execution will have fulfilled its immediate task, when it will be proved to have been either a superfluous or an inadequate movement, and when the legitimate Government of Duke Frederick VIII, in connexion with or after it, will gain footing in Holstein. The Holstein people, freed from the foreign yoke, will await their hereditary Prince, and the people of Germany will assist him with willing sacrifices in returning to his home, so long shut against him.

Those German Governments which have at heart the final security of legitimate right and German nationality should watch that nothing takes place calculated to alienate an iota of it to the foreign enemy.

We shall take occasion to return to the state of this affair and to the details of the Federal Resolution; we shall at the same time endeavour to consider the existing relations, and what national honour and right demand of us.

If the dice have fallen contrary to our judgment, in an unlucky concatenation of previous proceedings during a period hostile to justice, we shall not forget that in the development of all human things, good and evil days change, and with confidence in a righteous cause look forward to the final victory of legitimate and national rights.

No. 433.

Mr. Gordon to Earl Russell.—(*Received December* 15.)

My Lord, *Stuttgardt, December* 12, 1863.

COUNT BAUDISSIN, who was actively engaged in the former Schleswig-Holstein conflict, accompanied by Herr Vichers, has been here for some days in commission from Prince Frederick of Augustenburg, for the purpose of encouraging support from this country in men and money for the claim of that Prince to the throne of both Duchies.

I learn that Count Baudissin discourages the formation in the different German States of separate Free Corps as during the last Schleswig-Holstein war; but recommends the assemblage of volunteers at Coburg, where they are to be drilled and incorporated in the Schleswig-Holstein forces of the Pretender. Money is being subscribed throughout this country and the Grand Duchy of Baden in very considerable amounts, in aid of the Augustenburg Succession, and preparations are certainly being made for the departure of volunteers to the above destination, although I am not aware of any having actually already gone there; at all events, no numbers of any consequence have yet done so. I am told that application has been made to this Government for arms, which have been positively refused hitherto.

Count Baudissin has been received by the King, but His Majesty replied to his request for support in the cause for which he is engaged, that His Majesty considered himself still bound by his accession to the Treaty of London of 1852, an answer certainly diametrically opposed to the declaration of Baron Hügel in the Chamber of Deputies reported to your Lordship in my despatch of the 30th ultimo.

I have, &c.
(Signed) G. J. R. GORDON.

No. 434.

Lord Wodehouse to Earl Russell.—(Received December 15.)

(Extract.) *Berlin, December 12, 1863.*

I ARRIVED here yesterday evening, and immediately proceeded to Her Majesty's Embassy.

I had a very long interview with M. de Bismarck to-day at the Ministry for Foreign Affairs.

I commenced the conversation by saying that Her Majesty having been pleased to confide to me a mission having for its object to endeavour to find means for reconciling the differences between Germany and Denmark, his Excellency might rest assured that I should be the advocate of neither party, but that I must tell tell him at once that Her Majesty's Government were convinced that if Germany on the one side, and Denmark on the other, were determined to abate nothing of their pretensions, it would be useless to attempt to prevent the outbreak of war. M. de Bismarck replied that he was as desirous as any man to maintain peace, but that the popular feeling throughout Germany was so violently excited against Denmark that it was impossible for the Prussian Government to demand from Denmark less than the complete fulfilment of her engagements. The Austrian Government, he said, took the same view, and the Minor German Governments were even less able to make concessions, as the feeling in most of the Minor States was so strong on the Schleswig-Holstein question that the Thrones of the Sovereigns of those States would be in danger if they attempted to oppose the wishes of the people.

Was it, I asked, consistent with the principles which had hitherto governed the relations of the European States that two of the great Powers which had entered into a Treaty with the other three great Powers should deliberately refuse to abide by that Treaty, because the Germanic Confederation had not acceded to it? If, I said, Austria and Prussia thought it obligatory upon them, as members of the Confederation, to make their consent to the Treaty dependent upon the consent of the Diet, they should have made a declaration to that effect at the time of signing the Treaty. But at all events, upon what possible ground, I asked, could Austria and Prussia refuse to acknowledge Christian IX as King of Denmark? The Diet did not, I supposed, extend its pretensions to the Kingdom; and if Christian IX was not King, I should be glad to know who was to be regarded as King. I put this question, I said, because Her Majesty's Government had learnt that the Envoy who had been sent to announce the King's accession had not been received at Vienna; and it seemed, from what I had learnt, that he was not to be received at Berlin either.

M. de Bismarck said that he much regretted the refusal of the Austrian Court to receive the Danish Envoy; that the King of Prussia would, he thought, have received him if it had not been for the refusal of Austria, but that now he feared it would be impossible, since if the King of Prussia acted differently from Austria in this matter, he would incur great unpopularity in Germany. The Austrian Government, he believed, went so far as to assert that if the Treaty of 1852 fell to the ground, the renunciations by virtue of which King Christian succeeded to the Throne of Denmark would become void of effect, as they had been given for the purpose of preserving the Danish dominions as a whole, and that the Prince of Augustenburg had claims to the Kingdom of Denmark which might then become valid. I must, however, do M. de Bismarck the justice to say that he did not appear to countenance this doctrine.

We passed from this part of the subject to the impending Federal Execution. I asked upon what ground the Execution would take place now that the Patent of March 30 had been withdrawn by Denmark.

M. de Bismarck replied, that the grounds of the Execution were contained in a

Decree of the Diet in 1858, which called upon Denmark to fulfil her engagements as to the position of Holstein in the Danish Constitution.

I said Execution was certainly preferable to occupation, though neither would have been better still; but that at all events I hoped a proclamation would be issued on the entrance of the Federal troops, calling upon the inhabitants of Holstein to remain tranquil. According to the information received by Her Majesty's Government, there was no disturbance in Holstein, and I trusted that steps would be taken to prevent the formation of Free Corps, and the organization of an insurrectionary movement by the Prince of Augustenburg and his partizans under the protection of the Federal troops.

M. de Bismarck's language upon this point was far from reassuring. He said there would be such a proclamation as I desired, but that the Prince of Augustenburg would no doubt follow in the train of the Federal troops, and attempt to raise the standard of insurrection. It would be necessary in order to stop the movement to arrest the Prince, and to disperse by force any bands which he might form. Would it be possible to do this without exciting an uncontrollable outbreak of popular passion in Germany? I strongly urged upon his Excellency the extreme danger of a war between Germany and Denmark if no decisive measures were taken, and the injustice of fomenting rebellion under colour of an enforcement of Federal rights.

M. de Bismarck only replied, that he deplored as much as I did the imminent risk of war

I also alluded to the dispute as to Rendsburg, and said I hoped that care would be taken to avoid collision with the Danes at that point.

M. de Bismarck assured me that no part of the disputed territory at Rendsburg on the north of the Eider would be occupied by the Federal troops.

We then proceeded to discuss the question of Schleswig, which, as your Lordship is well aware, is the main cause of the long-standing quarrel between Germany and Denmark.

I said it was impossible to arrive at any settlement unless the German Powers were prepared to state precisely what their demands upon Denmark were, and that I hoped he would be able to give me a distinct explanation on this point.

M. de Bismarck said that the demands of Germany were the same as they had always been, namely, that Denmark should fulfil her engagement not to incorporate Schleswig with the Kingdom, and to grant a common Constitution in which Holstein, Schleswig, and Lauenburg should enjoy equal rights with the Kingdom. I replied that Her Majesty's Government were persuaded that it was hopeless to enter into a discussion as to the common Constitution. The last eleven years had been passed in fruitless attempts to reconcile the German with the Danish views of what constituted equal rights,—was it probable that the Danes would ever submit to give the inhabitants of the Duchies who were a minority, the same number of members in a common Parliament as the Danes who were the majority? Would such an arrangement be consistent with fairness or justice? M. de Bismarck said that the Danes would not have a bare equality of members with the Germans, because there were a large number of Danes in Schleswig who would no doubt return Danish Members. His Excellency developed at much length his views as to the common Constitution, but I cannot say I heard from him anything which has not been repeated over and over again in these interminable discussions. I still pressed him to state some other alternative, but he said this was for the Danes, not the Germans to propose.

I then asked him what the German Powers required as to the Constitution recently signed by the King of Denmark. Upon this point he said there could be no compromise. The Constitution must be declared before January 1st to be inapplicable to Schleswig, otherwise the German Powers would hold themselves released from all their engagements to Denmark, including the Treaty of 1852. They could not be satisfied with the mere postponement for the present of the meeting of the new Rigsraad.

I said that I supposed that he would be satisfied if the King issued a declaration that the Constitution could not be carried into effect as regards Schleswig. It might be necessary if the question was not concluded by the existing Rigsraad, which expired at the end of the year, to call together the new Rigsraad, by which alone the law could then be altered.

His Excellency said provided Schleswig was exempted from the operation of the law by some act done by the King before January 1st, when the new Consti-

tution came into force, he did not care by what Assembly the law was ultimately abrogated. However it would, he was convinced, be necessary for the King of Denmark to dismiss his present Ministers: a *coup d'état* would be the best solution of the difficulty. The fact was that Germany would never be on good terms with Denmark as long as the present democratic institutions of Denmark were maintained.

I said I regretted to hear this language, which amounted to a declaration that the German Governments were really about to interfere to change the domestic institutions of an independent Monarchy, and I pointed out strongly to M. de Bismark the danger which the German Governments ran of exciting revolution at home by lending themselves to the designs of the Schleswig-Holstein party. Nothing, I said, could justify the conduct of the Prince of Augustenburg.

I concluded the conversation, which was conducted with the utmost courtesy by M. de Bismarck, by requesting that he would give me a memorandum of the demands of the German Powers. M. de Bismarck readily consented to this, and a Memorandum was accordingly drawn up (of which I inclose a copy), and which it was agreed, if approved by the King and the Austrian Minister, should be initialled by M. de Bismarck, Count Karolyi, and Her Majesty's Ambassador.

Inclosure in No. 434.

Memorandum.

THE Austrian and Prussian Governments require that the Danish Government shall carry out the engagements entered into by Denmark in 1851-52; so that, apart from the Federal ties which concern only Holstein, Schleswig shall not be more closely connected with the Kingdom of Denmark than Holstein.

They therefore consider that the Constitution of November 18, 1863, is a violation of the engagements of Denmark, and they require that measures shall be taken before January 1 by the Danish Government to prevent that Constitution from being carried into effect as regards Schleswig.

When such measures shall have been taken they expect to receive from Denmark propositions as to the manner in which the engagements of 1851-52 are to be fulfilled.

No. 435.

Lord Wodehouse to Earl Russell.—(Received December 15.)

My Lord, *Berlin, December* 13, 1863.

I HAVE had a conversation with Count Karolyi, the Austrian Minister at this Court, on the subject of the differences between Denmark and Germany.

I need not state more than that he held the same language as M. de Bismarck.

I have, &c.

(Signed) WODEHOUSE.

No. 436.

Lord Wodehouse to Earl Russell.—(Received December 15.)

My Lord, *Berlin, December* 13, 1863.

WITH reference to my despatch of yesterday's date, I have the honour to state that M. de Bismarck informed me to-day that the Austrian Minister had assented to the memorandum of German demands upon Denmark inclosed in that despatch, and that the King had approved it.

It will therefore be initialled, as agreed upon, by M. de Bismarck, Count Karolyi, and Sir Andrew Buchanan.

I have, &c.

(Signed) WODEHOUSE.

No. 437.

Lord Wodehouse to Earl Russell.—(*Received December* 15.)

My Lord, *Berlin, December* 13, 1863.

I AM glad to see that the language which I held to M. de Bismarck yesterday as to the dangers of insurrection in Holstein made some impression upon him, as he told me to-day that the Diet would be moved to order measures to be taken to prevent free corps from being formed, and that the Prussian Government would immediately put itself in communication with the Prince of Augustenburg, and endeavour to induce him not to enter Holstein.

I have, &c.
(Signed) WODEHOUSE.

No. 438.

Sir A. Buchanan to Earl Russell.—(*Received December* 15.)

My Lord, *Berlin, December* 13, 1863.

I HAVE been informed that identic notes from Austria, Prussia, Hanover, and Saxony will be forwarded this evening to Copenhagen, informing them that with reference to the Decree of the Diet at Frankfort of October 1st of this year, a Federal Corps of Execution will enter into the Duchy of Holstein, and that the troops of Denmark must consequently be withdrawn from the Duchy within a period of seven days.

I understand that the terms of the notes are very general, but that they refer to the Decree of October 1st, so as to include in the objects of the Execution all the Decrees of the Diet, against which your Lordship remonstrated in your despatch to Sir Alexander Malet of the 14th of October last.

I have therefore addressed a few lines to M. de Bismarck, of which I inclose a copy, stating that Her Majesty's Government trust that the Execution will take place solely for Federal obligations violated, as I have thought it right to place on record the grounds on which Her Majesty's Government understand that the Execution is to be carried out.

I have, &c.
(Signed) ANDREW BUCHANAN.

Inclosure in No. 438.

Sir A. Buchanan to M. de Bismarck.

Dear M. de Bismarck, *Berlin, December* 13, 1863.

I HAVE reason to believe that identic notes are about to be forwarded by the Governments of Austria, Prussia, Hanover, and Saxony to the Government of the King of Denmark, informing them with reference to the Decree of the Diet at Frankfort of October 1st of this year, that a Federal Corps of Execution is about to enter the Duchy of Holstein, and that His Majesty's troops must consequently be withdrawn from the Duchy within a period of seven days. I therefore think it right to state to your Excellency, as I have already had the honour to do verbally, that the Government of the Queen my Sovereign trust that the objects for which the entrance of Federal troops into Holstein is about to take place, will have reference solely to Federal obligations violated by the Government of the Duchy.

I have, &c.
(Signed) ANDREW BUCHANAN.

No. 439.

Earl Cowley to Earl Russell.—(*Received December* 15.)

(Extract.) *Paris, December* 14, 1863.

IN compliance with the instructions contained in your Lordship's despatch of the 10th instant, I have read to M. Drouyn de Lhuys the instructions with which Lord Wodehouse has been furnished for the guidance of his conduct during the important mission with which his Lordship has been charged.

His Excellency said that your Lordship's arguments appeared to him to be very conclusive, and the course which you proposed to pursue the right one. He had himself long ago insisted on the necessity of obtaining some more defined statement of the demands of Germany on Denmark, and, until that should be effected, he felt it to be impossible to do more than to recommend moderation and prudence to the Danish Government.

With respect to the Mission of General Fleury, his Excellency said that it was simply a complimentary one; though, at the request of the Russian Government, the General would urge on King Christian IX to fulfil whatever engagements his predecessors might have contracted towards Germany. But the General's stay at Copenhagen would be a very short one, and if anything in the shape of negotiations were to be undertaken, they would be intrusted to the Emperor's regular Minister at Copenhagen, M. Dotezac.

No. 440.

Sir H. Howard to Earl Russell.—(Received December 16.)

My Lord, *Hanover, December 14, 1863.*

I HAVE just learnt that Baron Münchausen has definitively renounced the post of Civil Commissary on the part of Hanover for the Federal Execution in the Duchies of Holstein and Lauenburg, and that Dr. Nieper, a Government officer of high standing, has been appointed to it in his stead, and has accepted it.

M. Nieper is represented to me as a man of moderate opinions, and to be otherwise well qualified for the office.

I have, &c.
(Signed) HENRY F. HOWARD.

No. 441.

Sir H. Howard to Earl Russell.—(Received December 16.)

(Extract.) *Hanover, December 14, 1863.*

I RECENTLY represented to Count Platen that in a despatch which I had communicated to him, your Lordship had referred to the engagement taken by the signing and acceding parties to the Treaty of the 8th May, 1852, to recognize the right of Succession of King Christian IX to the whole of the Danish Monarchy, and I expressed my hope that the King of Hanover would not much longer delay answering the letter which had been addressed to His Majesty by His Danish Majesty announcing his accession to the throne.

Count Platen, in reply, did not hold out any prospect of the early realization of the hope that I had conveyed.

No. 442.

Earl Russell to Lord Napier.

My Lord, *Foreign Office, December 16, 1863.*

I TRANSMIT herewith to your Excellency copies of instructions which I have addressed to Lord Wodehouse,* who has been appointed by Her Majesty to proceed on a special mission to Copenhagen to congratulate the King on his accession to the Throne, and at the same time to endeavour to effect a settlement of the difficulties which have so long existed between Denmark and the German Confederation.

Your Excellency may read these despatches to Prince Gortchakoff, but you must not give copies of them.

I am, &c.
(Signed) RUSSELL.

No. 443.

Earl Russell to Lord Bloomfield.†

My Lord, *Foreign Office, December 16, 1863.*

M. BILLE, the Danish Minister at this Court, has communicated to me a copy of a telegraphic despatch which he has received from his Government, inquiring

* Nos. 393 and 394.

† A similar despatch was addressed to Sir A. Buchanan.

whether Her Majesty's Government would be prepared to authorize Her Majesty's Embassies at Berlin and Vienna to take charge of the interests of Danish subjects, the ministers of Denmark not having been enabled to present their letters of credence at those Courts.

I have informed M. Bille that Her Majesty's Government will comply with the wish expressed by his Government, and I have therefore to authorize your Excellency, upon the application of the Danish Minister at Vienna, to take charge of the affairs of Danish subjects in Austria.

I am, &c.
(Signed) RUSSELL.

No. 444.

Sir A. Malet to Earl Russell.—(Received December 17.)

My Lord, *Frankfort, December 15, 1863.*

I HAVE the honour to acquaint your Lordship that the Diet held a sitting yesterday for the purpose of arranging the final instructions for the Commissioners, for settling other details relating to the impending Execution in Holstein and Lauenburg, and that a sum of 5,000,000 florins was voted for preliminary expenses.

As I had the honour of reporting in my despatch of the 11th instant, it was expected that the final summons to the Danish Government, giving a term of seven days for withdrawal of the Danish troops from the Duchies, should have been made yesterday, but no official notification of this formality having been accomplished has reached Frankfort up to this moment.

I learn that this final summons will not be made by the Commissioners, but by identical notes from the Cabinets of the four Governments whose forces are to carry out the Execution, addressed to the Danish Minister of Foreign Affairs.

I have, &c.
(Signed) A. MALET.

No. 445.

Sir A. Buchanan to Earl Russell.—(Received December 17.)

My Lord, *Berlin, December 15, 1863.*

WITH reference to my despatch of the 12th instant, I have the honour to inform your Lordship that M. de Bismarck and the Ministers of Finance and War attended the sitting of the Committee of the House of Deputies, which took place yesterday to prepare a Report on the Bill for authorizing a loan which the Government has laid before the Chamber.

In explaining the policy of the Government, M. de Bismarck said that Prussia was bound to fulfil her Federal duties, and that war might ensue if Denmark resisted the Execution in Holstein, and thus abrogated the Treaty of London. As he only, however, defended the considerations on which the Bill for the Loan is founded and said nothing new, M. de Sybil, the Reporter of the Committee, replied that he had been prepared for this result, and that the Committee had not sufficient information either as to the object of the Execution, or as to whether the Government did not intend to acknowledge King Christian IX, and it could not therefore recommend the Chamber to vote the Loan. He then proposed an Address to the King, and M. de Bismarck spoke again, stating that he could give no other explanations than that the Government was resolved to protect all the rights of the Duchies, and that the time had not come when Prussia could be released from the Treaty of London, but that a refusal of the Loan would be in contradiction with the vote of the Chambers on the 2nd instant; and, on being asked whether negotiations were taking place with Denmark, he said none were going on at Berlin.

The Committee having then decided that the draft of the Address prepared by M. Sybil should be read, M. de Bismarck withdrew.

The proposed Address maintains the Resolution adopted on the 2nd of December by the Chamber, which is ready to make every sacrifice to carry out the policy recommended by its vote; and it prays the King to change his policy which was inaugurated by the vote taken at Frankfort on the 7th instant. The draft of Address was, after some

discussion, adopted by sixteen votes to five; it being necessary, however, to obtain a majority to add a clause expressing a want of confidence in the Ministry, of which I inclose a translation. The five members of the Committee, including M. Waldeck, who voted against the draft of Address, did so on the ground that it was impossible to come to any satisfactory arrangement with the present Government.

The draft of Address was laid before the House to day, and the question put, was, whether an Address should be voted; it being against the rules of the House that the draft could be taken into immediate consideration.

M. Waldeck objected to the principle of the proposed Address, but, after a short debate, it was decided by a great majority that a debate *d'urgence* should take place on the draft of M. Sybil, who was named with M. Virchow to report upon it. The debate will then take place on Friday.

None of the Ministers were present at the sitting of the Chamber; but M. Abecher, Secretary from the Foreign Office, represented M. de Bismarck.

He said in confirmation of M. de Bismarck's statements to the Committee yesterday, that the objects of the armaments were in the first place to carry out the Federal Decree of the 1st of October, for which 30,000 men would be required; and, in the second place, to provide for the contingencies which might arise if the Federal troops were attacked. As the Government might in that case be obliged to terminate Treaties or to disengage itself from them, Prussia ought to be armed so as to be prepared for all eventualities.

I have, &c.

(Signed) ANDREW BUCHANAN.

P.S.—Since writing this despatch I have procured a hasty translation, which I inclose, of the draft of the Address.

A. B.

Inclosure 1 in No. 445.

Original Clause of Draft of Address.

(Translation.)

THE House of Deputies turns to your Majesty in order to relieve itself from the heavy responsibility of not having tried every means to change a policy which has long threatened to injure the country.

Paragraph added in the Committee:—

For, considering the system of the Ministry, we must fear that in its hands the means demanded would not be employed in the interests of the Duchies and of Germany or for the profit of the Crown and of the country.

Almost alone among all the National Representative Assemblies of Germany, we are placed in the painful position of not being able to give that confident expression to the national feeling of the people which unity between the Government and the Representatives of the country bestows.

Inclosure 2 in No. 445.

Draft of Address.

THE House of Representatives will resolve to assent to the following draft of an address to the King:

Most gracious King, &c.

1. Your Majesty has been pleased to submit to us, in consequence of the pending discussions between Germany and Denmark, a Bill with reference to the extraordinary financial requirements of the Departments of the Army and the Navy.

The House of Deputies has already, in two previous discussions of the Schleswig-Holstein question, shown by its Resolution of the 2nd of December the nature of the policy which, according to our convictions, is necessary for maintaining the honour and the interests of Germany.

The law of Succession of 1853, as it appears by the London Treaty, has never received the assent of those immediately interested, the Representatives of the Duchy, the Agnates of the Oldenburg House, and of the German Diet.

Already thereby deprived of its legal foundation, the London Treaty has now rely ceased to be obligatory upon the Powers who were parties to it, as the Danish

Government, on their side, have broken all the promises made at the same time. Prussia and Germany are therefore bound to acknowledge the right of Succession of Frederick VIII, to establish the union and independence of the Duchies and to free the territory of the German Confederation from the presence of Danish troops.

2. To fulfil this duty promply and efficiently, no other German State is more urgently called upon than Prussia. Upon the territory of the Duchies, our brave army has gained its first victories since the War of Liberation, and thereby has staked its military honour upon the final triumph of the cause which it has gloriously but fruitlessly defended. The oppression of the Duchies since 1851 was the first and necessary consequence of the fatal Convention of Olmütz, whose pernicious reactionary influence upon the internal affairs of Prussia, and upon her position in Germany, has been bitterly felt by every patriotic heart, and can only be blotted out by the freedom of the Duchies.

3. With deep regret the House of Representatives sees the Government acting in a direction which threatens to have for its consequence not the setting aside, but the establishment and strengthening of the arrangements of 1851-52; but these arrangements impose upon the Duchies the tearing asunder of their old legal union, and thereby deprives the German element in both countries of its means of defence. They have had from the first no other European importance than the great danger to the interests of Prussia, so that any Prussian action in their favour must be called an act of self-sacrifice. Whilst a clear definition of the rights of Schleswig-Holstein by the Prussian Government would assemble all Germany around the lead of your Majesty, the remaining upon the basis of 1851-52 has placed our State in open opposition with the majority of the German Governments, and with the unanimous sentiments of the people of Germany. The Government of your Majesty has employed the whole influence of Prussia in common with Austria to carry a Resolution of the Diet in itself contradictory and obscure in its whole purpose, which abandons the independence of the Duchies together with the most important interests of Germany, without lessening the danger of foreign complications.

4. (See Inclosure 1.)

5. Most gracious King and Sovereign,—Your Majesty has once declared solemnly that not a foot of German land shall be abandoned. The right of the Duchies to an inseparable union and to independence depends upon the right of Succession of the House of Augustenburg.

Therefore we pray your Majesty respectfully but earnestly to withdraw from the Treaty of London, to acknowledge the hereditary Prince of Schleswig-Holstein-Augustenburg as the Duke of Schleswig-Holstein, and that you will be pleased to act so that the German Confederation may afford him assistance for the recovery and the deliverance of his hereditary lands.

The House of Deputies has no warmer wish than to afford willingly all the mean for the carrying out of a policy which, supported by the confidence of the nation and followed up with entire devotion to the national cause, has for its object this exalted task.

With the greatest respect, we, &c.

No. 446.

*Earl Russell to Sir A. Buchanan.**

Sir, *Foreign Office, December* 17, 1863.

HER Majesty's Government appreciate highly the efforts which have been made by Prussia and Austria to turn into a regular channel the flood of wild enthusiasm which seems in most parts of Germany to have burst all the restraints of public law and international good faith.

Still Her Majesty's Government have seen with surprise and pain the language which has been held at Berlin with regard to the Treaty of London of May 1852.

The Powers who signed that Treaty, or who subsequently acceded to it, must recollect that they bound themselves thereby not to Denmark alone, but to Great Britain, France, Russia, and Sweden, who were parties to it, and to all the other States and Powers whose accession thereto was asked for and obtained, and that the declared object and purpose of that Treaty was not to regulate the reciprocal relations of Denmark and Germany, but to serve as an arrangement essential for the general interest of Europe.

A violation of the engagements taken by Denmark in 1851-52 towards Germany is fair subject of complaint, and for which redress may be justly demanded.

* A similar despatch was addressed to Lord Bloomfield.

But such violation cannot cancel a solemn European engagement taken towards other parties. The promises made by Denmark in January 1852 regarding Holstein and Schleswig may have been the prevailing motive with Austria and Prussia for entering into the Treaty of May 1852; but those Powers cannot, with any show of reason, allege, as an excuse for not remaining faithful to the obligations of that Treaty, that their expectations as to the fulfilment by Denmark of her engagements, taken at another time and in other documents, have been disappointed.

The whole foundation of the Treaty stipulations of Europe would be subverted if such a reason could be admitted as an excuse for breaking a plain and simple Treaty engagement. Any Sovereign when called upon to fulfil his engagements might say: "My motive for concluding that Treaty with you was that I had other engagements with one of the parties to that Treaty. Those other engagements have not been kept, and therefore my Treaty with you is null and void."

Her Majesty's Government are convinced that the Court of Berlin will see that such a process of reasoning, if admitted to be valid, might shake to pieces any existing Treaty. I forbear from quoting instances in which such a loose and capricious mode of interpreting Treaties might prove seriously injurious to the German Powers themselves.

Let it suffice at present for Her Majesty's Government to declare that they would consider any departure from the Treaty of Succession of 1852 by Powers who signed or acceded to that Treaty as entirely inconsistent with good faith.

You may read to M. Bismarck, but not give a copy of this despatch.

I am, &c.

(Signed) RUSSELL.

No. 447.

*Earl Russell to Mr. Murray.**

Sir, *Foreign Office, December* 17, 1863.

HER Majesty's Government have seen with surprise and pain the language which has been held with regard to the Treaty of London of May 1852.

The Powers who signed that Treaty, or who subsequently acceded to it, must recollect that they bound themselves thereby not to Denmark alone, but to Great Britain, France, Russia, and Sweden, who were parties to it, and to all the other States and Powers whose accession thereto was asked for and obtained, and that the declared object and purpose of that Treaty was not to regulate the reciprocal relations of Denmark and Germany, but to serve as an arrangement essential for the general interest of Europe.

A violation of the engagements taken by Denmark in 1851-52 towards Germany is an offence which may be properly resented, and for which redress may be justly demanded. But such violation cannot cancel a solemn European engagement taken towards other parties. The promises made by Denmark in January 1852 regarding Holstein and Schleswig may have been the prevailing motive with Austria and Prussia for entering into the Treaty of May 1852; but those Powers cannot with any show of reason allege as an excuse for not remaining faithful to the obligations of that Treaty, that their expectations as to the fulfilment by Denmark of her engagements, taken at another time and in other documents, have been disappointed.

The whole foundation of the Treaty stipulations of Europe would be subverted if such a reason could be admitted as an excuse for breaking a plain and simple Treaty engagement. Any Sovereign, when called upon to fulfil his engagements might say:—"My motive for concluding that Treaty with you was that I had other engagements with one of the parties to that Treaty. Those other engagements have not been kept, and therefore my Treaty with you is null and void."

Her Majesty's Government are convinced that the Court of Dresden will see that such a process of reasoning, if admitted to be valid, might shake to pieces any existing Treaty. I forbear from quoting instances in which such a loose and capricious mode of interpreting Treaties might prove seriously injurious to the German Powers themselves.

Let it suffice at present for Her Majesty's Government to declare that they would consider any departure from the Treaty of Succession of 1852 by Powers

* Similar despatches were addressed to Sir H. Howard and Mr Gordon.

who signed or who acceded to that Treaty as entirely inconsistent with good faith.

You may read this despatch to M. de Beust, but you will not give him a copy of it.

I am, &c.
(Signed) RUSSELL.

No. 448.

Earl Russell to Lord Wodehouse.

My Lord, *Foreign Office, December* 17, 1863.

HER Majesty's Government are anxious to arrive at such a settlement of the pending dispute between Denmark and Germany as may secure all the rights of the Confederation, and preserve, in the spirit of the Treaty of London of 1852, the independence and integrity of Denmark.

For this purpose it is necessary to divest the question, as far as possible, of all the considerations which do not bear directly upon the points in dispute.

It may therefore be said at once that according to Article III of the Treaty of 1852, the King of Denmark holds the Duchies of Holstein and Lauenburg, subject to the laws of the German Confederation.

It may be as confidently affirmed that the King of Denmark and the Danish people may regulate the Constitution of Denmark in such a manner as, according to their judgment, will best provide for the due exercise of the prerogative of the Sovereign, and for the due enjoyment of the liberties of the people.

There being therefore no just controversy respecting Holstein and Lauenburg as German Duchies, or respecting the Kingdom of Denmark as an independent kingdom, the merits of the present dispute turn upon the provisions respecting the Duchy of Schleswig, contained in the documents of 1851-52 on the one hand, and upon the recently-enacted Constitution for Denmark and Schleswig on the other.

In the first place, in regard to the engagements of 1851-52, we find that in the annex to two despatches, addressed on the 6th of December, 1851, to the Courts of Vienna and Berlin by the Danish Minister for Foreign Affairs, the following statement:—

"In like manner as on the one hand the King has promised, and again declares, that neither any incorporation of the Duchy of Schleswig into the Kingdom shall take place, nor that any steps leading thereto shall be taken, so His Majesty cannot on the other hand approve of anything whereby an amalgamation of Holstein and Schleswig, or any other kind of union of those Duchies between themselves, of a more intimate nature than that subsisting between either of them and the Kingdom, should either be effected at once or be brought about in future."

In answer to this despatch; the Minister President of Austria in his despatch of the 26th of December and its annex, and the Minister President of Prussia in his despatch of the 30th of December and its annex, accept with satisfaction the declaration concerning Schleswig. The Imperial Government waives all objection to the abolition of the common relations between Schleswig and Holstein; "and will," says the Imperial Government, "likewise use its influence to prevent any objection being made to this measure by the Diet."

The Diet accordingly, after the King of Denmark had issued his Proclamation of the 28th of January, came to a Resolution, declaring that the arrangements in regard to Holstein and Lauenburg were in conformity with the laws and rights of the Confederation; and moreover, further gave the reserved definitive consent to the adjustment of the dispute between Germany and Denmark, and which adjustment has been effected by the King of Denmark in accordance with the Governments of Austria and Prussia, acting in the name of the Confederation."

Thus Holstein, Lauenburg, and Schleswig were assured of their rights, and the political union between Holstein and Schleswig was formally dissolved.

We have now to examine whether the new Constitution for Denmark and Schleswig is consistent with the above-mentioned engagements.

A casuist might raise a dispute on the meaning of the words "incorporation with Denmark, or steps tending to incorporation," and might show that there can hardly be any step favourable to the Duchy of Holstein taken separately which might not be represented as having some remote tendency to the incorporation of

Schleswig with Denmark. Happily, however, there is no need of such refinement of argument in the present case.

The Fundamental Law for Denmark Proper and for Schleswig, which was sanctioned on the 18th of November, 1863, is virtually an incorporation of Schleswig with Denmark. It provides that Schleswig shall be represented in the Parliament of Denmark-Schleswig, and that all laws passed by the Parliament or Rigsraad shall have force in the Duchy of Schleswig, as well as in the Kingdom of Denmark.

Thus it is enacted in the 18th section:—

"The Legislative power in respect to the common affairs of Denmark Proper and Schleswig is vested in the King and the Rigsraad conjointly.

"No law passed by the Rigsraad and sanctioned by the King can be made dependent on the passage of a similar law by another Legislature, or for a separate part of the realm, unless a special provision to that effect be inserted in the law itself."

This provision applies to Schleswig as well as to Holstein; but as Schleswig is to be represented in the Rigsraad, it is obvious that all separate legislative power existing in the Diet of Schleswig is thus annihilated.

But, further, let us see to what this legislative power of the Rigsraad extends. Article 50 says:—

"No" common "tax can be imposed, altered, or established, nor any common loan be contracted, except by law."

Clauses 51, 52, 53, 54, and 55 provide that every ordinance, or extraordinary draft of men for the army or the fleet, every alienation or acquisition of a common domain, the right of the King to coin money, every alteration of the Normal Budget, or its entire abolition, must be authorized or regulated by laws to be passed by the Rigsraad. Thus the Rigsraad, with the King, exercises the legislative power, and the legislative power comprises the whole public affairs of Denmark and Schleswig.

It is true that a separate Representative Assembly is left both for Denmark and for Schleswig; but it is clear that these are intended only for local affairs, and that all their power over common affairs may be assumed to be absorbed by the Rigsraad.

This Constitution, be it remembered, has not been submitted to the Diet of Schleswig, and was voted by an Assembly in which only eleven members for Schleswig were present, of whom seven voted for and four against that new Constitution.

The new Constitution, therefore, being without the requisite sanction of the Duchy of Schleswig, and being contrary to the engagements of the Crown of Denmark, ought so far as Schleswig is concerned to be repealed. How this is to be done, it belongs to the King of Denmark, his Ministers, and his Parliament to decide. It is the wish of Her Majesty's Government that it should be done in the manner most suitable to the dignity and character of Denmark as a free and independent State.

I am, &c.
(Signed) RUSSELL.

No. 449.

Earl Russell to Earl Cowley.

My Lord, *Foreign Office, December 19, 1863.*

I TRANSMIT to your Excellency herewith, for your information, a copy of an instruction which I have addressed to Lord Wodehouse* respecting the pending dispute between Germany and Denmark.

Your Excellency will read this instruction to M. Drouyn de Lhuys, but you will not give him a copy of it.

I am, &c.
(Signed) RUSSELL.

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* No. 448.

No. 450.

Sir A. Paget to Earl Russell.— (Received December 19.)

My Lord, *Copenhagen, December 16, 1863.*

I HAVE the honour to inform your Lordship that Lord Wodehouse arrived at Copenhagen yesterday morning, and that I presented his Lordship to M. Hall in the afternoon.

This morning I have introduced him to my principal colleagues.

I have, &c.

(Signed) A. PAGET.

DENMARK AND GERMANY.

No. 3.

Correspondence respecting the Affairs of the Duchies of Holstein, Lauenburg, and Schleswig.

(In continuation of Correspondence "Denmark and Germany, No. 2.")

Presented to both Houses of Parliament by Command of Her Majesty. 1864.

LONDON:
PRINTED BY HARRISON AND SONS.

DENMARK AND GERMANY.

No. 4.

CORRESPONDENCE

RESPECTING THE

AFFAIRS OF THE DUCHIES

OF

HOLSTEIN, LAUENBURG, AND SCHLESWIG.

(In continuation of Correspondence "Denmark and Germany, No. 3.")

Presented to both Houses of Parliament by Command of Her Majesty.
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Errata in Correspondence "Denmark and Germany, No. 2."

Page 129, line 4 from top, for "International" read "Federal."

Page 136, line 7 from bottom, for "Holstein" read "Schleswig."

Correspondence respecting the Affairs of the Duchies of Holstein, Lauenburg, and Schleswig.

No. 451.

Lord Wodehouse to Earl Russell.—(Received December 19.)

My Lord, *Copenhagen, December* 16, 1863.

I HAVE the honour to report that I arrived here yesterday morning, and immediately placed myself in communication with Sir Augustus Paget in accordance with my instructions.

I am to have the honour of an audience of the King of Denmark to-morrow.

I saw M. Hall in the course of yesterday. I impressed strongly upon his Excellency that if Austria and Prussia were bound in good faith to carry out the Treaty of 1852, without reference to any other engagements not contained in that Treaty, Denmark was on her part bound to fulfil her engagements to Germany; and I did not conceal from him my opinion that the Constitution recently signed by the King might be regarded as at variance with the promise made by Denmark in Annex No. 2 to the despatches of December 6, 1851, to Vienna and Berlin, that Schleswig should not be incorporated with Denmark, and that no steps should be taken tending to such incorporation.

I pointed out to him also that if on the one one hand Her Majesty's Government would never counsel the Danish Government to yield anything inconsistent with the honour and independence of the Danish Crown and the integrity of the King's dominions, so, on the other, we had a right to expect that the Danish Government would not, by putting forward extreme pretensions, drive matters to extremities.

I thought it right to make these observations to M. Hall, but I found him, as I expected, very little disposed to make concessions to Germany, and indeed he gave me to understand that if concessions were eventually made, it was not probable it would be by the advice of a Ministry of which he was the head.

I avoided however, entering in detail into the questions at issue, being desirous, as I told M. Hall, of consulting in the first place with the Representatives of France, Russia, and Sweden.

I informed your Lordship by telegraph that M. Hall gave me to understand that resistance would not be made in Holstein, but that no positive decision had been taken by the Danish Government. My Russian colleague M. d'Ewers has since told me that M. Hall has given him a distinct assurance that no resistance will be made.

I do not think there is any danger of collision between the Danish and Federal troops except at the tête de pont at Frederickstadt. This tête de pont is looked upon as the key of the Danish system of defence in Schleswig, and its occupation by the German troops would be considered here as the avowal of an intention to attack Schleswig.

I have, &c.
(Signed) WODEHOUSE.

No. 452.

Lord Wodehouse to Earl Russell.—(Received December 19.)

My Lord, *Copenhagen, December* 16, 1863.

I HAVE anxiously considered whether any steps which the Danish Government could be advised to take would arrest or suspend the impending Execution in Holstein.

I regret to say that I have come to the conclusion that there are no means of averting that Execution.

The Austrian and Prussian Government evidently consider that they have done all that is in their power in the interest of peace by persuading the Germanic Diet to order an Execution and not an occupation. Nothing short of immediate compliance with the whole of their demands, which is out of the question, would, I fear, induce them to use their influence to arrest the Execution.

My colleagues of France, Russia, and Sweden, are all of opinion that the Execution cannot be averted.

It will require the greatest prudence on the part of the German Governments to prevent the Prince of Augustenburg from disturbing the peace in Holstein.

It is asserted here that there is but little active disaffection in Holstein, except amongst the professors in the towns and certain landed proprietors. However this may be (and it is very difficult to arrive at the truth), it is evident that if time is to be given for negotiation, it is essential that the entrance of the Federal troops into Holstein should not be the signal for insurrection.

I have, &c.
(Signed) WODEHOUSE.

No. 453.

Sir A. Paget to Earl Russell.—(*Received December* 19.)

My Lord, *Copenhagen, December* 16, 1863.

I HAVE the honour to inform your Lordship that M. Hall yesterday received letters from the Ministers of the executing Powers, viz., Austria, Prussia, Hanover and Saxony, summoning the Danish Government to withdraw the Danish troops from Holstein within seven days from the receipt of their communication. This summons is founded on the Federal Decrees of the 9th of July and 1st of October last.

There is now, I believe, no doubt that the Danish troops will be withdrawn from Holstein, with the exception of the tête de pont of Frederickstadt, and it is very desirable in the interest of peace that some arrangement should be made respecting this point. It is, as I am informed, the key to the position in Schleswig, and will therefore, of course, not be given up by the Danes.

I have, &c.
(Signed) A. PAGET.

No. 454.

Sir A. Malet to Earl Russell.—(*Received December* 19.)

My Lord, *Frankfort, December* 17, 1863.

WITH reference to my despatch of the 15th instant, in which I reported that 5,000,000 florins had been allocated for the preliminary costs of the Federal Execution in Holstein and Lauenburg, your Lordship will no doubt see it stated in the published Report of the sitting of the Diet in which I reported this vote to have taken place, that 17,000,000 florins is the amount assigned by the Diet for the specified object.

The latter sum is in fact voted and held at the disposal of the four Governments which are charged with the Execution, but the sum of 5,000,000 florins only have been at once applied

I have, &c.
(Signed) A. MALET.

No. 455.

Mr. Gordon to Earl Russell.—(Received December 19.)

My Lord, *Stuttgardt, December 17, 1863.*

I HAVE the honour to forward herewith a despatch which I have received from Mr. Baillie, reporting the course followed by the Baden Government with respect to furnishing military aid to the cause of Prince Frederick of Augustenburg.

It may be added that the Baden Chambers have both unanimously voted an extraordinary credit of 2,300,000 florins, which the Grand Ducal Government demanded to cover the charges of a possible mobilization of their military force.

I have, &c.

(Signed) G. J. R. GORDON.

Inclosure in No. 455.

Mr. Baillie to Mr. Gordon.

Sir, *Carlsruhe, December 15, 1863.*

HAVING observed in one of the public journals that a deputation had waited on the Minister of War to request that volunteers in the Schleswig-Holstein cause might be supplied by the Government with arms, I took an opportunity of asking Baron de Roggenbach whether it was intended to allow a corps of volunteers to be formed and armed in this country.

The Baron replied that the Government had no such intention, as they considered that any additional strength which might thereby be gained for Schleswig-Holstein would not compensate for the embarrassment and inconvenience which might result if such a permission were granted.

Moreover if the Grand Ducal Government thought that additional forces were likely to be required, their natural course, and that which they would adopt, would be to increase their army.

Baron de Roggenbach informed me that Prince Frederick of Augustenburg had applied to this Government, in common with other German Governments, for permission to raise his Contingent to the Federal army out of those Holsteiners who, in order to avoid serving under the Danish Government, had left their country, and were now in considerable numbers at Hamburgh and in other parts.

To this the Baden Government had no objection.

I have, &c.

(Signed) EVAN P. M. BAILLIE.

No. 456.

Mr. Ward to Earl Russell.—(Received December 19.)

My Lord, *Hamburgh, December 15, 1863.*

THE Burghership or Legislative Body of Hamburgh in its sitting of the 11th instant, passed by an unanimous vote a Resolution to the following effect:—

"That the Senate be requested to protect and support by all the means in its power the ancient constitutional and inseparable connection of the Duchies of Schleswig and Holstein, the independence of those Duchies and their separation from Denmark, as well as the rightful hereditary Succession to the Throne in them; and that the Burghership, so far as depends upon them, are ready to provide the Senate with the requisite means for the purposes mentioned."

This Resolution must of course influence the future policy of the Government of Hamburgh in the impending conflict between Germany and Denmark. It is unquestionably in accordance with the feelings which animate the great mass of the German nation.

Public meetings continue to be held here and elsewhere for the discussion of Schleswig Holstein affairs. The orators at these meetings invariably dwell upon the injustice according to their views) of the Treaty of London, and declare that the time has arrived for rescuing the Duchies from the Danish yoke, and securing their future existence as an independent State.

I have, &c.

(Signed) J. WARD.

No. 457.

Earl Russell to Lord Wodehouse.

(Extract.) *Foreign Office, December* 20, 1863.

HER Majesty's Government are of opinion that the repeal of the Constitution of November 18, as far as it affects Schleswig, is indispensable, and that some pledge of this repeal should be given in a public manner by the Danish Government.

No. 458.

Earl Russell to Mr. Gordon.

Sir, *Foreign Office, December* 21, 1863.

I HAVE received your despatch of the 12th instant, together with its inclosure from Mr. Baillie, relative to the views entertained by the Wurtemberg and Baden Governments respecting the Danish question; and I have to thank you for the information contained in this despatch, and to request you to let me know of any further steps that may be taken in the matter.

I am, &c.
(Signed) RUSSELL.

No. 459.

Mr. Murray to Earl Russell.—(*Received December* 21.)

(Extract.) *Dresden, December* 18, 1863.

I HAVE the honour to forward by this day's messenger a despatch sent to me under flying seal by Her Majesty's Consul at Leipzig,* reporting the movement of troops from that city towards Holstein.

The Saxon Contingent, originally fixed at 3,000 men, has, as your Lordship is aware, been raised to 6,000; one portion of the force was despatched, as reported by Mr. Crowe, from Leipzig, and the remainder was sent from this city partly by the way of Berlin, and partly by that of Magdeburg. I was in the streets when the troops were passing through the town to the railway station, and I must say that here there existed none of those symptoms of sullen discontent which are reported by Mr. Crowe as having been exhibited at Leipzig; on the contrary, they were followed by crowds of both sexes and of all ages wishing them good speed, and so many were the gratuitous cans of beer given to them on their passage, that it must have caused their officers some trouble to keep these drink-offerings within the bounds required by discipline.

No. 460.

Mr. Murray to Earl Russell.—(*Received December* 21.)

My Lord, *Dresden, December* 18, 1863.

A PORTION of the Austrian Contingent for the carrying out of the Execution in Holstein is now passing through Dresden. It consists of four battalions of Infantry, one battalion of Riflemen, one battery of Field Artillery, and some Engineers and Pioneers; the whole amounting to about 5,500 men.

I have, &c.
(Signed) CH. A. MURRAY.

No. 461.

Sir A. Buchanan to Earl Russell.—(Received December 21.)

(Extract.) *Berlin, December 14, 1863.*

LORD WODEHOUSE left Berlin this morning, and I regret to say with a more restricted statement as to the nature of the arrangements with Denmark which would be accepted by Germany than I had hoped he would receive from M. de Bismark in order to induce the Danish Government to place confidence in the disposition of Prussia and Austria to promote a settlement of the Danish question on fair and equitable terms.

I regret also, with reference to the representations which I have made by your Lordship's order to M. de Bismark during the last fortnight, on other subjects connected with the question, that I have failed in obtaining a compliance with the wishes of Her Majesty's Government.

I was instructed to suggest that time should be allowed Lord Wodehouse to negotiate with the Danish Government before the Federal Execution is carried into effect.

The Execution will take place in six days after his Lordship's arrival at Copenhagen.

I was instructed to express the hope of Her Majesty's Government that no disputed territory on the frontier or at Rendsburg would be occupied.

Rendsburg will be occupied with the exception of that portion which is on the north bank of the Eider.

I was instructed to state that the Execution should only take place for Federal obligations violated.

The Execution will take place (I am willing however to admit, on grounds of expediency, to avoid a question of serious domestic embarassment in Germany) in virtue of a decree of the German Diet, against which Her Majesty's Government have formally remonstrated at Frankfort, by a despatch communicated officially to the Governments of Austria and Prussia; and, lastly, I was instructed to request that the Prussian Government would concert with that of Austria and state to Lord Wodehouse, previously to his departure from Berlin, precisely what Austria and Prussia will require to bring about a friendly disposition on all sides; but they have declined to give any explanations as to the nature of the arrangements which they would accept from Denmark, and have merely stated generally that they will require the fulfilment of the engagements contracted by Denmark in 1851-52, and have declared that Schleswig must be withdrawn from the Constitution of the 18th November before the 1st of January next, the date on which M. de Bismark has stated in Parliament Prussia will have a right to repudiate the Treaty of London.

The Prussian and Austrian Governments have thus followed out the old policy of the Diet, of which Denmark has so frequently complained, having merely stated what they object to, but having positively declined to give any intimation of the nature of an arrangement which they might accept. Is it probable then that Lord Wodehouse will find the Danish Government willing to abandon one line of policy, with respect to the organization of the Monarchy, which in the event of war has solid advantages to offer to Denmark, before he can give them any idea of the manner in which Germany will expect them to carry out another system?

M. de Bismarck, some days before Lord Wodehouse's arrival, in answer to an inquiry which I put to him, stated that there were two ways of settling the question:—

First. A common Constitution on the plan of Christian VIII; or

Second. The union of the German part of Schleswig and Holstein, with a separate legislature.

A third plan has been spoken of, by which a common Constitution, like that of the first plan, would be combined with an administrative union of the south of Schleswig with Holstein, without the former being included in the German Confederation.

Count Karolyi, to whom I understood from Lord Bloomfield Count Rechberg had given authority to state clearly the arrangements which would be accepted by Germany, spoke to me before Lord Wodehouse's arrival of the same plans, in a manner from which I inferred that something would be said to his Lordship respecting them.

Had Lord Wodehouse been authorized to explain to the Danish Government that an arrangement, on the basis of any of these plans which he might find Denmark disposed to adopt, or of that proposed by your Lordship in 1862, would satisfy Germany, it may have been reasonably expected that the Danish Government would be less unwilling to comply with the demands formulated in the memorandum delivered to his Lordship, and to enter

into negotiations as to the future organization of the Monarchy on the principle laid down by M. de Bismarck. But as the case now stands the Danish Government are not aware whether an attempt may not be made to enforce upon them the extreme demands of Germany for the equal representation of each portion of the Monarchy in a common Parliament, after they shall have weakened the country by changing the whole basis of its policy and placing it in a position to accept war on less advantageous terms than it can do at present.

No. 462.

Sir A. Buchanan to Earl Russell.—(Received December 21.)

My Lord, *Berlin, December 16, 1863.*

M. DE BISMARCK said it appeared to him that the Danish question could not well be settled without Conferences among the Great Powers, and that it might therefore be expedient in the interest of peace to accept them so far that a Conference might be convoked at Paris for the arrangement of the Danish question.

No. 463.

Sir A. Buchanan to Earl Russell.—(Received December 21.)

(Extract.) *Berlin, December 19, 1863.*

I HAVE had the honour to receive your Lordship's despatch of the 16th instant, informing me that the Danish Minister had inquired on the part of his Government whether Her Majesty's Government would be prepared to authorize Her Majesty's Embassies at Berlin and Vienna to take charge of the interests of Danish subjects, as the Ministers of Denmark are unable to present their letters of credence at these Courts, and that your Lordship had in consequence authorized me to take charge of the affairs of the Danish subjects in Prussia, upon the application of the Danish Minister at Berlin.

M. de Quaade had asked me two days previously whether I would have personally any objection to the proposal which his Government had submitted to your Lordship by telegraph; and I told him I would be happy to perform the duty which the Danish Government wished me to undertake, as your Lordship had authorized me by a late telegraphic message to accept any proposal which might be made to me on the subject.

After receiving your Lordship's despatch yesterday, I had some further conversation with M. de Quaade, when I suggested that as the Danish Government in their telegram to him spoke of the "eventual" cessation of diplomatic relations, they appeared to hope that some arrangement might yet be possible to prevent such a contingency; and it was therefore agreed between us that I should mention to M. de Thile, with a view to promote the continuance of diplomatic relations between the two countries, that Lord Bloomfield and myself were authorized to take charge of the interests of Danish subjects in Austria and Prussia in the event of their own Ministers being withdrawn—an arrangement which he thought might be looked upon as a manifestation of English sympathy with Denmark.

M. de Quaade received this morning a despatch from Copenhagen instructing him to inform the Prussian Government that as he could not present his letters of credence to the King it was not desirable that he should remain at Berlin; but that further instructions as to the date of his departure would be sent to him as soon as the Government should learn his own views upon the matter.

M. de Quaade has read this despatch to M. de Bismarck, and his Excellency, while he expressed regret that the Danish Government should think it necessary to withdraw M. de Quaade, suggested that the diplomatic relations of the two countries might still be maintained by Chargés d'Affaires; and M. de Quaade replied that he would communicate his Excellency's suggestion to M. Hall.

No. 464.

Sir A. Buchanan to Earl Russell.—(*Received December* 21.)

(Extract.) *Berlin, December* 19, 1863.

THE situation of affairs here is daily assuming a more abnormal aspect. The Government in concert with Austria has succeeded at Frankfort, by a bare majority in the Diet, in placing the motives for the entrance of Federal troops into Holstein on the basis of the Federal Decree of the 1st of October last, and they are thus able to adhere conditionally to the engagements of the Treaty of London. But it is to be remembered, at the same time, that the Austrian and Prussian Governments only obtained a majority in the Diet by proposing that the question of the Succession in the Duchies of Schleswig and Holstein should remain in abeyance.

The line of conduct therefore which Austria and Prussia have imposed upon the Diet is disapproved of by a large proportion of the Governments and a great majority of the people of Germany.

No. 465.

Sir A. Buchanan to Earl Russell.—(*Received December* 21.)

My Lord, *Berlin, December* 19, 1863.

I HAVE the honour to inclose herewith translation, by Mr. Lowther, of an extract from the "Nord Deutsche Allgemeine Zeitung," which gives a statement of the military measures which have been taken by the Prussian Government in consequence of the Danish complications.

I have, &c.

(Signed) ANDREW BUCHANAN.

Inclosure in No. 465.

Extract from the "Nord Deutsche Allegemeine Zeitung" of December 17, 1863.

(Translation.)

THE newspapers have given incorrect statements of the military measures which have hitherto been taken by the Prussian Government with reference to the Danish complications.

The following is the actual arrangement:—

1. One *corps d'armée* consisting of eight regiments of Infantry, one battaliou of Riflemen, six regiments of Cavalry, one brigade of Artillery, one battalion of Pioneers including two Pontoon Columns and one Feldbrücken Train, and the train belonging to them, have received orders to be ready for a possible mobilization.

Arrangements have been made for further strengthening this corps of troops in infantry and cavalry by augmentation and dislocation. For this purpose, regiments of Foot-Guards have been removed from the furthest provinces where they were stationed, and will in a few days be in the Province of Brandenburg.

Horses have been provided for all the troops, so that, should the order for marching be given, the Prussian Corps of Execution can be completed in the shortest time by the Reserves being called in. One portion of the Reserves, namely, the Eleventh Brigade, with three regiments of Hussars and two Batteries, has been ordered to march, and was ready on the 17th.

2. Fortifications are being completed for the protection of the unfinished harbour in the Gulf of Tande, for the occupation and defence of which, divisions of infantry and artillery and pioneers have been appointed and ordered to march.

3. Measures have been taken for the defence of all other harbours and coasts, and are being carried into operation. All the vessels of our fleet adapted to warlike purposes are being got ready; and, in order that they may be properly manned with officers and sailors, the reserves of marine, and persons fitted for naval duty, have been called in. All ships of war abroad have received orders in consonance with the present circumstances.

No. 466.

Sir A. Buchanan to Earl Russell.—(*Received December* 21.)

(Extract.) *Berlin, December* 19, 1863.

CONSIDERABLE surprise has been excited here by its becoming known that Marshal Wrangel has been selected for the chief command of the Federal troops appointed to support the Execution in Holstein, and various rumours have been in circulation as to the cause which has led to a change in the previous arrangement, by which this appointment was said to have been conferred on His Royal Highness Prince Frederick Charles. All, however, agree in representing the change as a symptom of a desire on the part of the Government that the maintenance of peace should not be exposed to any unnecessary risks.

No. 467.

Sir A. Buchanan to Earl Russell.—(*Received December* 21.)

My Lord, *Berlin, December* 19, 1863.

WITH reference to my telegram of the 13th instant, I have the honour to inclose a copy taken from the "Staats Anzeiger," together with a translation by Mr. Morier of the note addressed by M. de Bismarck to M. Hall, requiring the withdrawal from Holstein of the Danish garrison on the entrance of Federal troops into the Duchy, to carry into execution the Decree of the Diet of the 1st of October last.

I have, &c.

(Signed) ANDREW BUCHANAN.

Inclosure in No. 467.

Extract from the "Staats Anzeiger" of December 31, 1863.

(Translation.)

THE following communication was made on the 15th instant to the Danish Minister President M. Hall, to acquaint him with the impending entrance of Federal troops into the Duchies of Holstein and Lauenburg, and to call upon him to withdraw the Danish troops stationed in those Duchies. Identic communications have been addressed by the Governments of Austria, Saxony, and Hanover. The form of a direct communication from Minister to Minister had to be adopted, because the German Envoys at Copenhagen were not in possession of the credentials necessary to a communication of this kind:—

"*Berlin, December* 12, 1863.

"The Undersigned, Prussian Minister President and Minister for Foreign Affairs, M. de Bismarck-Schönhausen, has the honour to acquaint M. Hall, the Danish Minister President and Minister for Foreign Affairs, that the German Diet has in conformity with its Decrees of the 1st of October and the 7th instant passed the following Decree:

"1. To address the invitation provided for under section 4 of the Decree of the 1st October to the Governments of Austria, Prussia, Saxony, and Hanover, for the carrying out of the measures decreed.

"2. To acquaint the said Governments with this Decree by their Envoys, and to leave it to them to make the necessary communication to the Danish Government, as well as to carry out those measures in accordance with the military arrangements agreed to amongst themselves.

"In accordance with the above, the administrations of the Duchies of Holstein and Lauenburg will be undertaken by the Civil Commissaries named by the Diet, who will be accompanied by the necessary number of Federal troops.

"The Undersigned in making this communication, couples with it the request that all the Danish troops at present in the Duchies of Holstein and Lauenburg may be at once withdrawn from Federal territory, and expresses the hope that this will take place within seven days after the delivery of this communication.

"The Undersigned, &c. (Signed) "VON BISMARCK."

No. 468.

Sir A. Buchanan to Earl Russell.—(Received December 21.)

My Lord, *Berlin, December 19, 1863.*

I HAVE the honour to inclose herewith the copy of the draft of an Address to the King, taken from the "National Zeitung" of this morning, together with a translation by Mr. Morier, which Count Arnim-Boytzenburg, and other members of the House of Nobles, will propose that the House should present to the King, animadverting upon the conduct of the House of Deputies with respect to the authority which the Government have asked to contract a loan to meet the expenses of the military preparations for carrying out the Federal Execution in Holstein, and assuring His Majesty of the support of the House of Nobles wherever the honour or interests of the country may require it, and adding the conviction that if means are not granted for this purpose by the other House, the patriotism of the country will supply them without the intervention of a law.

I have, &c.

(Signed) ANDREW BUCHANAN.

Inclosure in No. 468.

Draft of Address to be submitted to the House of Nobles, by Count Arnim-Boytzenburg, Messrs. Kleist, Retzow, Brüggemann, &c.

(Translation.)

Most illustrious and puissant King.

TO conclude from the Address which the House of Deputies has moved to Your Majesty in connection with the demand made by your Majesty's Government for an extraordinary credit to cover the military expenses required by the conflict between Germany and Denmark, the danger is to be apprehended that the House of Deputies will refuse this demand or attach to their compliance with it impossible conditions, and that in the first case the House of Nobles will not have the opportunity of expressing their opinions in reference to this demand or to state their views on the general question.

This apprehension justifies the determination of the House at once to make their views known to your Majesty.

Whatever difference of opinion there may be on the subject of who became entitled to the legitimate Succession in the Duchies upon the death of Frederick VII, all parties are agreed that the object and older duty of the Government of Germany were the securing the rights of those Duchies in regard to their Constitution.

The question of Succession is for the time being kept an open one by the German Diet.

In its Decree of the 7th instant, the Diet after ten years of negotiation proceeds to act in the question of the Constitution.

This measure cannot be allowed to prejudice the question, who is the legitimate Sovereign in the Duchies? And no one will deny that if this question is to be solved with the force of arms, and should Prussia's interest require such a solution, Prussia's position will be a far more favourable one if Holstein is occupied with German than if it is held by Danish troops.

Your Majesty asks for the former object the means necessary to your Majesty as member of the Confederation to fulfil Prussia's obligations in this matter, and to place Prussia's power and honour in a position of safety against every attack.

The House of Nobles maintains the principle that just as little as the right of the House of Deputies can be disputed to express to your Majesty their views and wishes in regard to foreign questions, can their duty be ignored to furnish to the Crown their Constitutional co-operation for obtaining the means necessary for carrying out the objects above described.

The House of Nobles is also aware that the rights of the Representatives to express their views and wishes in regard to foreign questions to your Majesty, and to endeavour within the measure of their competency to obtain the fulfillment of these wishes, is balanced by the older right of the Crown especially confirmed by Section 48 of the Constitution, viz., that in questions of foreign politics, which, as a general rule, involve the question of peace and war, the Crown has to decide independently and finally.

The House of Nobles would gladly hail a German Prince as Sovereign of those countries. We also, if your Majesty after testing the question of legitimacy and taking into consideration the state of Europe, deemed it for the interest of Prussia to give expression

to this wish of the German people by the help of Prussian arms, would gladly afford to your Majesty the necessary means.

But this can be no reason for refusing the means immediately necessary for the fulfilment of a Federal duty, and possibly required for the defence of Prussia along the path of an energetic enforcement of the Constitutional rights of the German Duchies.

When, however, over and above this, one of the Houses of the Legislature demands an unconditional prosecution of what it deems to be right in this matter, and a duty binding on the honour of Prussia, we can only see in such a demand an additional reason for granting to the Crown the means necessary to the carrying out of the measures immediately in contemplation. For the motive of such a demand cannot be the interest for the rights of one or other of the Pretenders to the Crown, but for the rights of German countries and German kindred. But to secure these rights even in regard to the question of Succession, the military measures determined upon by your Majesty in connexion with the Federal Decree will largely contribute.

Whoever desires to force the Crown to a different course by refusing the necessary means encroaches upon the prerogative of the Crown, because such an one places his will above that of the Crown in reference to the choice of means.

Lastly, the House of Nobles holds fast by the principle, and hopes it will never be unfaithful to it, that where there is a question of defending the honour and independence of Prussia, the means necessary for this purpose will never be refused by the Houses because they, or one of them is dissatisfied with the internal system of government, or with the Ministers for the time being.

For it is the first duty of unselfish patriotism to do everything which may prevent internal dissension from weakening the external power or consideration of the country.

On all these grounds the House of Nobles feels called upon to declare to your Majesty—

1. That it considers it a paramount duty to furnish your Majesty with the means asked for to carry out the military measures required by the conflict between Germany and Denmark; and

2. That it is convinced that if this demand is not complied with by the other House, the readiness to make sacrifices which characterizes the Prussian people where the honour and duty of Prussia and the protection of a German country against the oppression of Denmark are involved, will, if necessary, find the means even without the intervention of a law for this purpose.

In deep humility, &c.

(Signed) THE HOUSE OF NOBLES.

No. 469.

Consul-General Crowe to Earl Russell.—(*Received December* 21.)

(Extract.) *Leipzig, December* 16, 1863.

TWO battalions of Saxon riflemen, forming part of the 1st division of the 9th Federal corps, marched yesterday afternoon to the Magdeburg railway station here, and were forwarded to Harburg. They form the first detachment of troops furnished by Saxony to co-operate with Hanover in the Federal Execution in Holstein.

About 6,000 people lined the streets and spaces in front of the railway station as the battalions marched in. Not a sound of greeting or of encouragement was uttered however, and it was obvious that sullen discontent was the predominant feeling in the crowd. Cockades of the German colour which had been issued to the soldiers by the Government were withdrawn subsequently, in order no doubt that the public might know the feeling which animates the highest authorities in Saxony with reference to the Schleswig-Holstein question.

No. 470.

Lord Bloomfield to Earl Russell.—(*Received December* 21.)

(Extract.) *Vienna, December* 17, 1863.

I HAVE asked Count Rechberg if he was satisfied with the result of Lord Wodehouse's visit to Berlin, and if he thought his Lordship had carried with him the means of entering upon the negotiation at Copenhagen with a prospect of success.

His Excellency replied that he had received a copy of the Pro-Memoria drawn up by M. de Bismarck and Count Karolyi, containing the conditions on which an arrangement between Germany and Denmark would be obtainable, and that he approved of the whole of this document, excepting the last paragraph, in which it was settled that communications connected with the negotiations should be addressed to Austria and Prussia.

I inquired if he knew anything of the consequences that might result from the refusal of the Imperial Government to receive the letters of notification of the accession of King Christian IX. He replied that he had heard nothing, and that he hoped there would be no question of removing the Danish Minister from here, or interrupting the direct relations of the two Governments.

No. 471.

Lord Bloomfield to Earl Russell.—(Received December 21.)

My Lord, *Vienna, December 17, 1863.*

IN the course of my conversation with Count Rechberg on the subject of the French Circular to the Continental Governments of the 8th instant, renewing the invitation to the Congress, his Excellency observed, respecting the suggestion contained in that despatch that the Danish question was one foremost for discussion, that, in the present stage of the proceedings, it could not be brought forward; that the time, however, for so doing might soon come, but at present it was not ripe for the consideration of an European Congress.

I have, &c.

(Signed) BLOOMFIELD.

No. 472.

Lord Bloomfield to Earl Russell.—(Received December 21.)

My Lord, *Vienna, December 7, 1863.*

I HAVE thought it advisable to read to Count Rechberg your Lordship's despatch of the 2nd instant to Lord Napier, relative to Prince Gortchakoff's proposal for sending Envoys to Copenhagen, copy of which reached me by the last messenger.

His Excellency thanked me for this communication, but he seemed to have been already aware of its contents; he remarked that it was a very clear and good exposition of the Danish question from an English point of view, but that he could not say some parts of it were not open to observations, or even to objections.

I have, &c.

(Signed) BLOOMFIELD.

No. 473.

Lord Bloomfield to Earl Russell.—(Received December 21.)

My Lord, *Vienna, December 17, 1863.*

I HAVE had an interview with General Bülow, the Danish Minister, at his request. He states he had received a telegram directing him to ask me, in the event of an eventual interruption of the diplomatic relations of his Government with Austria, if I should personally object to attend to Danish interests here. I informed General Bülow that I had already received a telegraphic instruction from your Lordship, and that I should be ready to meet any wishes he might express to me on the subject. He said he should telegraph immediately to Copenhagen and inform his Government of the result of our interview. I endeavoured to discover from the Danish Minister whether he expected an immediate recall, observing that I understood Count Rechberg would greatly regret his departure, or anything that could increase the difficulties of negotiation, and that he had expressly told me that he hoped the Danish Minister at Vienna would not leave his post, or that anything should occur which would compel the Austrian Minister to leave Copenhagen.

General Bülow has no detailed news from his Government, but, judging from the words of the telegram he has received, it may be that orders will be sent to him to leave Vienna as soon as the Federal troops enter Holstein.

I have, &c.

(Signed) BLOOMFIELD.

No. 474.

Sir A. Malet to Earl Russell.—(*Received December* 21.)

My Lord, *Frankfort, December* 18, 1863.

THE Danish Envoy sent his Secretary, Baron de Rosencrantz, to me this morning, to request I would receive the archives of his Legation when he left Frankfort.

I could not hesitate as to rendering his Excellency this service, and have consequently promised to accept the deposit when M. de Dirchinck takes his departure, which is only now a question of a few days, depending on the passing of the frontier by the troops of the Confederation, and on his Excellency's health.

I have, &c.
(Signed) A. MALET.

No. 475.

Sir A. Malet to Earl Russell.—(*Received December* 21.)

My Lord, *Frankfort, December* 18, 1863.

IT being currently reported that Prince Frederick of Augustenburg would enter Holstein as soon as the Federal troops had crossed the frontier, I thought it right to ask the President of the Diet if his Excellency knew of any foundation for such a rumour.

Baron de Kübeck denied any further knowledge of Prince Frederick's intentions in this respect than the grounds on which my own information rested, but acknowledged that the report was generally spread.

I observed that it was clearly the duty of the Commissioners, and of the troops employed in the Execution, to stop any such scheme on the Prince's part, which would be an European scandal, and an outrage on the Danish Government if attempted; and would, moreover, justify Danish resistance to the Execution, should it be known with certainty beforehand that the Prince's entrance was to take place.

Baron Kübeck said he could of course give no positive assurance as to what would be done on a presumed contingency, but it seemed clear to him that the Prince's entrance into Holstein could not be permitted.

The Duchies were to be administered on behalf of the Diet, and this, in his opinion, precluded the possibility of admitting attempts to establish any other Government whatever. I called his Excellency's attention to the all-important point, that the Diet's original Decree of Execution made reserve of the eventual rights of the King of Denmark as Duke of Holstein.

To this Baron de Kübeck replied, that that clause referred to the late King, and the final Decree of Execution made reserve of the Diet's decision on the question of Succession.

I need scarcely observe, that as there is considerable prospect of the Diet's deciding that Prince Frederick of Augustenburg is rightfully Duke of Schleswig-Holstein, the virtual possession of Holstein territory by Federal troops holds out the strongest probability of becoming the means of handing over that Duchy to the Pretender, and of upholding him there by force of arms.

I have, &c.
(Signed) A. MALET.

No. 476.

Sir A. Malet to Earl Russell.—(*Received December* 21.)

My Lord, *Frankfort, December* 19, 1863.

I HAVE the honour to acknowledge the receipt of your Lordship's despatches to the 16th instant inclusive.

With reference to your Lordship's despatch of the 14th instant, I have probably used the word "Protocol" in reference to the London Treaty of May 8, 1852, in citing what has been said to me in reference to that Treaty, but have neither so styled it myself, or ever admitted that it was anything else than a *bonâ fide* Treaty, signed and ratified as is customary with such public Acts.

Those who use the word "Protocol" (as, for instance, M. von der Pfordten),

when they speak of that Treaty, do it purposely, and with the notion that they are right in so designating this Act, as if it was incomplete, and one which they persist in regarding as concluded contrary to their notions of international law.

In the same spirit, King Christian IX is seldom spoken of by adversaries of this Treaty by any other name than that of the "Protocol Prince."

I have, &c.

(Signed) A. MALET.

No. 477.

Sir A. Malet to Earl Russell.—(*Received December* 21.)

(Extract.) *Frankfort, December* 19, 1863.

I FOUND opportunity yesterday, on occasion of my visit to the Court of Darmstadt, of exchanging a few words with M. de Dalwigk on the topics of the day.

I found his Excellency, as I had been led to expect, violently espousing the cause of Germany against Denmark, and saying the least that Germany could possibly accept would be Holstein and Lauenburg and the southern half of Schleswig. His Excellency was very well inclined to annex the whole of the latter Duchy, but, considering the difficulties of the acquisition, would put up with partition.

A brother of Prince Frederick of Augustenburg, the pretender to Schleswig-Holstein, was present at the Grand Ducal dinner, and this Court is a warm partisan of His Highness Prince Frederick's claims.

No. 478.

Sir A. Malet to Earl Russell.—(*Received December* 21.)

(Extract.) *Frankfort, December* 19, 1863.

WE are to have a meeting of Parliamentary Delegates from all parts of Germany at Frankfort on the 21st instant to form a Central Committee for directing the efforts at present making throughout Germany in favour of the Schleswig-Holstein cause, and giving the agitation an effective organisation.

This meeting is to be composed of men of all parties, but the movers of the scheme are the leaders of the ultra-Liberal party, who have adroitly seized the opportunity to get together a body likely to form the nucleus of that central power which the late Congress of Princes has failed to establish.

No. 479.

Sir H. Howard to Earl Russell.—(*Received December* 21.)

(Extract.) *Hanover, December* 17, 1863.

THE attitude which the Governments of Brunswick and Oldenburg have assumed in the Schleswig-Holstein question will be known to your Lordship from my previous correspondence. It will be further elucidated by the subjoined statement.

M. de Campe, the Brunswick Minister for Foreign Affairs, in the speech with which he opened the session of the Legislative Assembly on the 10th instant, referred in the following terms to that question:—

"Considering that the rights of Succession of the Hereditary Prince of Schleswig-Holstein-Sonderburg-Augustenburg may be considered to be well founded, His Highness the Duke has not delayed furnishing the Ducal Envoy to the Diet with corresponding instructions. Unfortunately this most important national affair has not been brought to the desired conclusion, principally because the recently-adopted Resolution of the Diet confines itself exclusively to the execution of the Resolution of the 1st of October of this year. The efforts of the Ducal Government will, however, be constantly directed towards securing the full triumph of the rights of the Duchies as well as the legitimate rights of Succession, and it entertains the confident expectation that the Legislature will readily and vigorously

assist it in its resolute and perseveriug endeavours towards the attainment of this object."

The Legislative Assembly, in its address in answer to this speech, likewise recognizes the rights of Succession of the Duke Frederick of Augustenburg, and invokes the blessings of the Almighty upon the Duke for the energy and perseverance with which he has promised to defend the rights of their beloved German brothers in the North. At the same time he begs His Highness to be assured of the entire devotion of the country of Brunswick and of its Representatives when there is a question of driving the Danish oppressors by the force of arms out of the German fatherland.

The Oldenburg Legislative Assembly was opened on the 9th instant by M. de Rössing, the Minister for Foreign Affairs. That part of his speech which relates to the Schleswig-Holstein question is as follows:—

"It cannot be otherwise, gentlemen, your eyes will be frequently turned from our internal affairs to that great question which the Almighty Ruler of human destinies has now called into life for Germany. The approaching decision concerning the Duchies of Schleswig-Holstein and Lauenburg agitates and occupies the minds of all. Now, or never, is the moment come for giving complete effect to the rights of these Duchies to an agnatic Succession, and to the severance of their hitherto existing connection with Denmark. His Royal Highness the Grand Duke will, you may rest assured, now as heretofore vigorously and perseveringly exert himself in this sense for the interests of the Duchies as well as of the whole German Fatherland. Disregarding all vacillations which may now or later perhaps call in question the success of a great and holy cause, his Royal Highness clings to the hope of ultimate triumph."

The Project of Address of the Legislative Assembly in answer to this speech places the resources of the country at the disposal of the Grand Duke, in order to enforce the Rights of the Duchies of Schleswig-Holstein, and expresses the wish that his Royal Highness would recognize the rights of Succession of Duke Frederick of Augustenburg.

I learn that M. de Rössing has lately conveyed the refusal of the Oldenburg Government to vote for the Austro-Prussian proposal to the Diet for a Federal Execution in Holstein, in a note to the Austrian Minister.

No. 480.

Sir H. Howard to Earl Russell.—(Received December 21.)

My Lord, *Hanover, December* 18, 1863.

THERE can be but little doubt that the Schleswig-Holstein agitation is a revolutionary movement got up by the party who are desirous of subverting the existing order of things, and who have adroitly chosen as their lever a question which enlists the sympathies of a great portion of Germans otherwise opposed to their political views, but who are too shortsighted to see the dangers of the course into which they are being hurried, and whose ideas of right and wrong seem to be strangely confused. So it was in 1848, and so it is again in 1863.

In the Kingdom of Hanover, as elsewhere, the agitation continues unabated. The newspapers are filled daily with accounts of meetings held in different localities for the purpose of collecting subscriptions for the Schleswig-Holsteiners, and even for the creation of a Schleswig-Holstein army, and of passing resolutions or adopting petitions to the King or Government, advocating the withdrawal of Hanover from the Treaty of the 8th of May, 1852, the recognition of the Prince of Augustenburg's claims to the Duchies of Schleswig and Holstein, and the furnishing him with material support towards their prosecution.

The Central Committee of the National Verein at Göttingen is indefatigable in urging these points, and in inflaming the public mind against Denmark; and its organs in the Press are equally industrious in throwing discredit upon the Government for adhering to the Treaty of 1852 and for having supported the Austro-Prussian proposal for a Federal Execution instead of an occupation in Holstein.

The Branch Committee at Hanover for the defence of the rights of Schleswig-Holstein, in an advertisement published in the "Zeitung für Nord Deutschland" of yesterday, announces its readiness to receive subscriptions for the voluntary loan

which has been put forth by the Minister of Finance of the Prince of Augustenburg at Gotha, and for which bonds of the value of five, ten, and fifty dollars are to be issued, thus creating a paper money.

At the instigation of the same Committee, a meeting was held here on the 16th in the saloon of one of the theatres, at which inflammatory speeches were made, and a petition to the Ministers was adopted praying for an immediate convocation of the Chambers, with a view to an expression of opinion, on their part, on the Schleswig-Holstein question. A deputation was likewise named for its presentation.

This deputation, according to the account given in to-day's "Zeitung für Nord Deutschland," has been received by Baron Hammerstein, the Minister of the Interior, whose reply is stated to have been to the following effect:—

The subject of the address had already been taken into consideration by the Government, and would form the subject of further deliberation. The necessary subjects of deliberation for the Chambers were not, however, sufficiently prepared. At all events the term prescribed by the Constitution for their Assembly, the 1st of February, would be observed. For the Schleswig-Holstein question an accelerated convocation of them hardly appeared necessary, as the affair had its centre of gravity at the Diet.

In the further course of the conversation which ensued with the deputation, Baron Hammerstein is reported to have observed, that a recognition of Duke Frederick of Schleswig-Holstein Augustenburg, before the Diet had taken a decision, appeared contrary to the laws of the Confederation. Hanover had originally supported at the Diet views having wider bearings, similar to the Saxon and Bavarian proposals; but she had been under the necessity of yielding to the pressure of the joint categorical declarations of Austria and Prussia, that they would not allow themselves to be out-voted in this question as in that of the non-admission of the Danish Minister, and of voting for the Execution, in order to bring the affair into movement. There was now a commencement of action, and circumstances, it was to be hoped, would soon develop themselves favourably.

Count Platen had previously told me the Government had no intention of convoking the Chambers before the 1st of February.

Notwithstanding the agitation I have described, I feel persuaded that if the Hanoverian Government only show a becoming degree of firmness, they have nothing to fear. But should Austria and Prussia hereafter withdraw altogether from the obligations they have contracted under the Treaty of May 1852, I entertain no hope that Hanover, in the face of the feeling in the country, will venture to separate her action from theirs.

No. 481.

Sir H. Howard to Earl Russell.—(Received December 21.)

My Lord, *Hanover, December 19, 1863.*

COUNT PLATEN has learnt from Copenhagen that the Danish Government have decided not to resist the Federal Execution in Holstein and Lauenburg, and to withdraw their troops from all points in those Duchies with the exception of Rendsburg and the *tête de pont* at Frederickstadt on the Eider. It appears, moreover, that the Danish Government are desirous that, in order to prevent the entrance or formation of free corps, the Federal troops should follow closely upon the retreating Danish forces.

As the identic notes of the four Governments charged with the Execution, communicating the Resolution of the Diet of the 7th instant, and calling upon the Danish Government to withdraw their troops from the Duchies within seven days, were delivered at Copenhagen on the 15th instant; the day on which, as I learn from Count Platen, the Federal Commissioners and troops will enter the Duchies will be the 22nd instant.

According to the wish expressed by Lieutenant-General de Hake, who is to command the Saxons and Hanoverians, the Hanoverian contingent of 6,000 men will enter Holstein simultaneously with the Saxon troops. They are likely, I hear, to be speedily followed from Hamburgh into Holstein by the Austrian reserve of 5,000 men, whilst the Prussian equally strong reserve is to take up its position for the present at Lubeck.

Your Lordship is aware that a large Prussian and Austrian force is to be kept in readiness to march into the Duchies in case of any conflict arising with Denmark.

I have now to report that, like the Austrian and Saxon Governments, the Hanoverian Government have expressed their readiness, in such a contingency, to place their troops under the command-in-chief of the Prussian Field-Marshal Wrangel.

All that I can learn from Count Platen concerning the instructions which the Federal Commissaries for the Execution, Dr. Nieper and M. de Könneritz, have received from the Diet, is that they direct the latter to govern the Duchies of Holstein and Lauenburg in the name of the Confederation, according to the existing laws, until they shall be relieved from their commission by a future Resolution of the Diet. His Excellency treats it as a matter of course that the Commissaries will not permit the exercise of any authority by the Prince of Augustenburg in the Duchies, or the formation of a Schleswig-Holstein army.

I have more than once represented to Count Platen that the question of peace or war in all probability depends upon the course which the Commissaries may adopt in respect to Rendsburg and Friederichstadt; and in order that war may not ensue, I have urged him to exert his influence with a view to the Commissaries being instructed not to molest the Danes in the occupation of that part of Rendsburg which is on the Holstein bank of the Eider, and of the *tête de pont* on the Eider before Frederickstadt. His Excellency has replied that this is a question which it does not belong to him to decide. I feel persuaded, however, that he is far from wishing to see a conflict brought about, and I trust that the Austrian and Prussian Governments, whose influence in this matter cannot but be predominant, will have sufficient moderation to take such measures as may be necessary to prevent one.

Although no concessions which the Danish Government might make at the present moment, after matters have gone so far, would prevent the Federal Execution from taking place, Count Platen looks forward with great interest to the effect of Lord Wodehouse's mission to Copenhagen, which he earnestly hopes may be to induce Denmark to come to such terms as may set the question at rest.

Even the more moderate German Governments, whose aim is not the dismemberment of the Danish Monarchy, view the Federal Execution not only as a coercion against Denmark and a means of obtaining guarantees for the future, but also as a measure of self-preservation in the face of the public cry in Germany imperatively demanding action of them.

I have, &c.
(Signed) HENRY F. HOWARD.

No. 482.

Sir H. Howard to Earl Russell.—(*Received December* 21.)

My Lord, *Hanover, December* 19, 1863.

I HAD the honour of receiving this evening by the messenger Johnson your Lordship's despatch to me of the 17th instant, on the subject of the obligation devolving upon the Powers who signed the Treaty of Succession of the 8th of May 1852, or who acceded to it, to remain faithful to it, irrespectively of the fulfilment by Denmark of engagements taken at another time, and in other documents.

I lost no time in waiting upon Count Platen, and, availing myself of the authorisation granted to me, I read to him your Lordship's despatch.

His Excellency in reply reminded me that he had always held the doctrine that Hanover was bound not only to Denmark, but likewise to the other Powers, parties to the Treaty of May 1852, and that having acceded to that Treaty unconditionally, she was under the obligation of observing it, irrespectively of the agreements of 1851 and 1852, to which she was not a party; and he added, that she would adhere to it as long as it should be in her power to do so, but that if Austria and Prussia receded from it, it would not be possible for her to uphold it.

I have, &c.
(Signed) HENRY F. HOWARD.

No. 483.

Mr. Murray to Earl Russell.—(Received December 22.)

My Lord, *Dresden, December 19, 1863.*

I HAD the honour to inform your Lordship yesterday evening, by telegram, that M. de Beust had taken his departure for Munich. On other occasions when the Saxon Minister has absented himself from Dresden on a visit to any of the German Courts, it has been his custom to announce his intention to the Corps Diplomatique by sending round a Foreign Office messenger with a verbal intimation, but on this occasion he seems to have desired to give a more official character to his announcement by making it in the form of a circular despatch addressed to all the foreign Missions.

Nothing has yet transpired as to the special object of his Excellency's mission to Munich; there can be little doubt, however, that it relates to the Schleswig-Holstein question, and my own impression is that its probable intention is to concert measures with the Court of Bavaria for uniting all the German States of the second and third class in a common course of action, so as to produce such a pressure upon the two great German Powers as shall oblige them to consider their obligations to the Treaty of London as secondary to those which they owe to the Confederation.

In confirmation of this impression I may bring under your Lordship's notice a paragraph from a speech lately delivered by M. de Beust in the Saxon Chambers, in which he said: "It is scarcely necessary for me to remind the Chamber that the Saxon Government has for a number of years advocated, as a leading principle, that the German States (not included among the Great Powers), by which I mean not only those of secondary rank, but altogether, should cement a closer union in order to obtain, when necessary, a more practical weight in questions affecting German policy, and this not with a view to create discord or a separation of interests, but as a means of consolidation. The leading and dominant idea in this project has been that an occasion might arise in which this group of German States, representing, as it would if united, a very important interest, might serve not only to urge upon the two Great Powers a purely German line of policy, but even to enforce it against their will."

When we compare these opinions lately and officially expressed by the Saxon Minister with the present state of affairs in Germany, it seems not unreasonable to suppose that he considers the occasion opportune for endeavouring to give effect to them in action, and that his visit to Munich has been undertaken with this object.

M. de Beust remains at Munich until Christmas Eve.

I have, &c.

(Signed) CH. A. MURRAY.

No. 484.

Sir H. Howard to Earl Russell.—(Received December 22.)

(Extract.) *Hanover, December 20, 1863.*

LAST night I received a telegram from Sir Augustus Paget, stating that the Danish Government had just informed him of their formal decision to withdraw their troops from Holstein, and that orders had been given to the Danish General to concert with the Federal Generals as to the mode of evacuation. Sir Augustus added, that as the Danish Government had no diplomatic relations with Hanover, he had been requested to give me this information in order that the Hanoverian General might receive instructions to communicate with the Danish General on this subject.

Early this morning I brought Sir Augustus Paget's telegram to the knowledge of Count Platen, who was much gratified with its contents, and has always considered it a matter of great importance, with a view to prevent disturbances and the formation of free corps in Holstein, that the Federal troops should follow close upon the retreating Danish forces. His Excellency, after observing that the Hanoverian General Gebser only acted under the orders of the Saxon Commander-in-chief of the Corps of Execution, Lieutenant-General Hake, and that it was not within his (Count Platen's) province to send any instructions to either General, said that he would immediately request M. Nieper, the Hanoverian Civil Commissary for the Execution, to convey Sir Augustus Paget's communication to General de Hake for his guidance, and to General Gebser for his information; and also, if necessary, to his colleague the Saxon Civil Commissary, M. de Könneritz.

His Excellency added that he was not acquainted with the details of the intended military movements, nor did he know exactly where General de Hake was at this moment, but I might depend upon the necessary communications being made in time.

I informed Sir Augustus Paget this morning by telegraph of the measures to be taken by Count Platen for carrying out the wish of the Danish Government.

No. 485.

Earl Russell to Mr. Gordon.

Sir, *Foreign Office, December* 22, 1863.

YOU are at liberty to communicate to the Minister for Foreign Affairs of His Majesty the King of Wurtemberg my despatch of the 17th instant, and to give him a copy of it.

I am, &c.
(Signed) RUSSELL.

No. 486.

Earl Russell to Sir A. Malet.

Sir, *Foreign Office, December* 22, 1863.

WITH reference to your despatch of the 19th instant, in which you state that those persons who, in speaking of the Treaty of London of 1852 make use of the term "London Protocol" do so purposely, and with the view of depreciating the value of that act, I have to instruct you, whenever in the course of conversation any official person should make use to you of the term "London Protocol," as designating the Treaty of 1852, or the term "Protocol Prince," with reference to His Majesty King Christian IX, to interrupt the speaker and correct him.

You will be careful also never to make use of either of these terms in your despatches.

I am, &c.
(Signed) RUSSELL.

No. 487.

Lord A. Loftus to Earl Russell.—(Received December 23.)

(Extract.) *Munich, December* 17, 1863.

THE South German Press, with the exception alone of the "Bavarian Gazette" (the Ministerial organ), has been unanimous since the demise of the King of Denmark in supporting the claims of Prince Frederick of Augustenburg to the Succession of the Duchies of Schleswig and Holstein, and in stimulating German patriotism to defend the rights of their German brethren.

It is somewhat remarkable that the professors of ultra-democratic opinions, by whom the Monarchical principle has not hitherto been recognized as the groundwork of their political faith, in this instance are the foremost to uphold the rights of legitimacy; nor is it less worthy of remark that the supporters hitherto of the most reactionary policy are cordially united with the ultra-democratic party in the question of Schleswig-Holstein.

The "Augsburg Gazette," which is certainly the leading organ of public opinion in Germany, has taken up with great ardour the cause of the German Duchies, and strives on every occasion to inflame the public mind, by representing it as a question in which the honour and interests of Germany are deeply involved.

The policy of Baron Schrenk may be summed up in a few words. It is, as he has himself forcibly expressed to me, to act with the Diet and through the Diet ("par la Diète et avec la Diète"); the Bavarian proposal for occupation having been rejected by the Diet, he submissively accepts the resolution of the majority, and will as submissively conform to the line of policy voted by a majority of that Body.

Your Lordship will find the opinions therein expressed in conformity with the reports which I have lately had the honour to address to your Lordship on this subject.

Being aware that every attempt will be made by means of deputations and addresses to move the King to take an active part in favour of the German Duchies by recognizing Prince Frederick of Augustenburg as Duke of Schleswig-Holstein, and by assuming an independent position irrespective of the Diet, I took an opportunity to express to Baron Schrenk an earnest hope that His Majesty would not be carried away by the feverish excitement of the moment and embark in a cause which might be attended with serious danger to the peace of Germany, and possibly that of Europe. Baron Schrenk has assured me that the King is too calm and prudent to allow himself to be led astray by popular excitement, and that so long as he held the office of Minister for Foreign Affairs he should urgently oppose any policy which should deviate from the attitude which the Bavarian Government had assumed, or which should be in opposition to the Decrees of a majority in the Diet.

No. 488.

Lord A. Loftus to Earl Russell.—(Received December 23.)

My Lord, *Munich, December 18, 1863.*

SINCE addressing to your Lordship my despatch of yesterday's date, the "Bavarian Gazette" has this morning published a Rescript addressed by the King of Bavaria to Baron Schrenk on the question of Schleswig-Holstein, of which I have the honour to forward to your Lordship herewith a translation, for which I am indebted to Mr. Trench.

His Majesty, using the same expressions as were employed to me by Baron Schrenk, states that his policy will be as a German Federal Sovereign, to act at the Diet and through the Diet ("bei dem Bunde" and "durch den Bund") in defence of the rights of the German Duchies.

I have, &c.
(Signed) AUGUSTUS LOFTUS.

Inclosure in No. 488.

Autograph Letter from the King of Bavaria to Baron Schrenk.

(Translation.)

My dear Minister of State. *Munich, December 17, 1863.*

I HAVE taken cognizance of your Report dated the 15th of December, 1863, on the question of the Holstein-Lauenburg Constitution. In approving of the policy hitherto pursued by you, I take this opportunity to declare that I continue to refuse my recognition of the stipulations of the London Protocol, and shall as decidedly refuse my acquiescence to an ultimate adhesion to them; that I consider as rightly founded the claims to Succession of the Ducal Schleswig-Holstein-Sonderburg-Augustenburg Line, and am ready to support with all means the policy hereby stipulated for the rights of the Duchies and of Germany, in the firm conviction that I thereby find myself in complete unity of opinion with my faithful people. But faithful to my duties as a German Federal Prince, and weighing well the state of circumstances, I hope to have the adhesion of all sensible persons, if I endeavour to attain the object in view at the Diet and through the Diet.

I charge you, my dear Minister of State, to submit to me the necessary steps to be proposed, in order that I may proceed at once to carry out the wishes herein expressed, and empower you also to give publicity to my decision.

With my well-known sentiments, yours, &c.

(Signed) MAX.

No. 489.

Sir A. Buchanan to Earl Russell.—(Received December 23.)

(Extract.) *Berlin, December 21, 1863.*

YOUR despatch of the 17th instant was delivered to me last night by the messenger Johnson, and I read it yesterday to M. de Bismarck, who on learnin

that I had a communication to make to him, had the goodness to call at the Embassy to receive it.

The only part of the despatch on which his Excellency made any remark was the paragraph in which your Lordship speaks of the Powers who signed the Treaty of London, or who subsequently acceded to it, having bound themselves thereby not to Denmark alone, but to Great Britain, France, Russia, and Sweden, who were parties to it. His Excellency said the Prussian Government did not take this view of the case, and that they considered the engagements which they had contracted by the Treaty had been entered into with Denmark alone, as they had not exchanged ratifications with the other Contracting Parties. I said that Her Majesty's Government, however, had always considered the Powers who signed the Treaty or acceded to it, to be responsible to them for its full and due execution, and that its text plainly showed that this opinion was well-founded.

M. de Bismarck replied that he had already explained to Lord Wodehouse that on the present occasion it was unnecessary to raise a question on this point, as Austria and Prussia would evidently have a right to declare war to Denmark if she did not fulfil the international engagements which she had contracted to Germany, and that as war would terminate all Treaties between Denmark and Germany. the Treaty of London, as far as it affects Austria and Prussia, would, if the present discussions between Germany and Denmark should lead to that eventuality, be abrogated.

I have told him that it appears to me Her Majesty's Government will not be prepared to acquiesce in this statement of the case, as they hold that the object and purpose of the Treaty is not to regulate reciprocal relations of Denmark and Germany, but to establish an arrangement which is essential to the general interests of Europe.

M. de Bismarck appeared disappointed, when I had finished reading the despatch, that I was not authorized to give him a copy of it, observing that I was preaching to a convert, and that he could not trust his memory to report accurately to others your Lordship's language; and even if he could do so, his report would not have the same weight as a perusal of your Lordship's despatch.

It was not however, at Berlin, he said, but at Frankfort that such language should be held, or rather communicated to the Diet, in order that it might be made public; for the opinions of England seriously expressed, as in your Lordship's despatch, could not fail to meet with due consideration both from the Governments and the people of Germany, and might have an important influence on the conduct of the Confederation.

No. 490.

Sir A. Buchanan to Earl Russell.—(Received December 23.)

My Lord, *Berlin, December* 21, 1863.

M. DE BISMARCK expressed to me his regret that the Danish Government should apparently wish that diplomatic relations between Denmark and Prussia should be suspended, saying that the notes which had been lately addressed to the Minister of Austria and Prussia at Copenhagen with reference to the funeral of the late King would probably oblige them to leave Denmark immediately. He had, however, sent a Secretary of Legation to Copenhagen, in the hope that an arrangement might be made for the relations of the two countries being maintained by a Chargé d'Affairès; and he mentioned as a precedent for such an arrangement, that the Prussian Government had not withdrawn their Chargé d'Affaires from Athens on the expulsion of King Otho, although they did not acknowledge the legality of the Government which replaced that of His Majesty.

I have, &c.

(Signed) ANDREW BUCHANAN.

P.S.—Since writing this despatch, M. de Thile has explained to me that the Prussian Government did not formally refuse to receive Admiral Irminger, but that that M. de Quaade was told confidentially to advise M. Irminger not to return to Berlin.

M. de Thile allowed that the result was practically the same, but he seemed to think that the Danish Government had less serious cause for complaint than if a formal refusal had been sent to the Admiral. Your Lordship may not perhaps appreciate this nice distinction.

No. 491.

Sir A. Buchanan to Earl Russell.—(Received December 23.)

My Lord, *Berlin, December 21, 1863.*

IN order that the Prussian Government may have no doubt as to the opinions of Her Majesty's Government with reference to the objects to which the Federal Execution in Holstein ought to be limited, and as to the rules by which the Federal civil and military officers in the Duchy are bound to regulate their conduct, I placed yesterday in M. de Bismarck's hands your Lordship's despatch of the 8th instant; and I read to his Excellency that part of your Lordship's despatch of the 12th instant wherein you mention what passed between your Lordship and M. Bille as to the grounds on which the Federal Execution is founded.

I have, &c.

(Signed) ANDREW BUCHANAN.

No. 492.

Sir A. Buchanan to Earl Russell.—(Received December 23.)

My Lord, *Berlin, December 21, 1863.*

I YESTERDAY received a telegram from Sir Augustus Paget informing me, at the request of the Danish Government, that the troops of Denmark would be withdrawn from Holstein, and stating that though this information had been sent to M. de Quaade, the Danish Government had wished that it might also be communicated to me, in order that instructions might be sent to the Commander of the Federal troops to concert with the Commanding Officer of the troops of the King of Denmark, as to the mode of evacuation of the Duchy by the latter,

M. de Quaade only received this morning his instructions on the subject which he has communicated to M. de Bismarck, together with a protest of his Government against the Execution, of which he has sent me the inclosed translated extract.

Having acquainted him with the contents of Sir Augustus Paget's telegram, I have addressed, with his concurrence, the note to M. de Bismarck of which I inclose a copy

I have, &c.

(Signed) ANDREW BUCHANAN.

Inclosure 1 in No. 492.

M. Hall to M. de Quaade.

(Traduction.)
(Extrait.)

L'ARRETE Fédéral du 7 Décembre dernier ne saurait nullement être considérée comme étant de droit obligatoire pour le Gouvernement du Roi, déjà par la raison qu'il a été pris après que le Plénipotentiaire du Roi, contrairement au droit, eut été exclu de la Diète.

Ensuite, autant que l'Arrêté mentionné se rapporte à l'Arrêté antérieur du 1 Octobre, le Gouvernement du Roi ne saurait d'autant moins y trouver une raison valable pour la soi-disant Exécution qui vient d'être decrétée, que—

1. L'abolition formelle de la Patente Royale du 30 Mars, dont s'occupait l'Arrêté mentionné en dernier lieu, a été effectuée plus tard; que

2. La médiation proposée par le Gouvernement de Sa Majesté Britannique, à l'effet d'arriver à la solution des différends pendants entre le Danemark et la Confédération, a été acceptée par le Gouvernement du Roi dans la séance du 29 Octobre; et qu'enfin,

3. Le Gouvernement du Roi a déclaré dans la même séance être prêt à "venir au devant de la Confédération en toute point par rapport auxquels l'autonomie et la parité de droits demandées pour les pays appartenant à la Confédération ne pourraient pas être regardées comme suffisamment garanties." Mais maintenant le droit de Succession de Sa Majesté le Roi et la validité du Traité de Londres du 8 Mai, 1852, ont aussi été mis en question par la Diète, et dans ces circonstances le caractère particulier de la soi-disant Exécution Fédérale nous devient d'autant plus évident que justement en partant du point de vue de la Confédération, il s'entend de soi-même que la reconnaissance par la Confédé-

ration de Sa Majesté le Roi comme Duc d'Holstein et de Lauenbourg aurait du moins dû précéder toute demande par rapport à la position constitutionnelle à donner au Duché de Holstein par Sa Majesté en qualité de Duc d'Holstein.

Enfin, il faudra encore faire observer que la sommation adressée au Gouvernement du Roi s'écarte dans un point très-important des dispositions du règlement d'Exécution du 30 Août, 1820 (Article 10), attendu qu'on n'a plus laissé au Gouvernement du Roi la possibilité de prévenir l'Exécution par l'accomplissement de demandes formulées avec précision, l'Exécution au contraire étant indiquée comme l'unique objet de l'arrêté.

Dans ces circonstances, le Roi mon. auguste Souverain ne saurait reconnaître, dans la soi-disant Exécution decrétée, un procédé basé sur le droit Fédéral, mais se reserve expressément tous les droits souverains et dynastiques. De même que Sa Majesté a ordonné au Soussigné de protester formellement, comme il le fait par la présente, contre l'infraction évidente qu'on a en vue, de même elle se réserve de prendre toutes les décisions ultérieures qu'elle regarderait comme conforme à ses droits et à ses interêts.

(Translation.)

(Extract.)

THE Federal Resolution of the 7th of December last can in no way be considered as legally obligatory on the Government of the King, firstly on account of its having been passed after the Plenipotentiary of the King had illegally been excluded from the Diet.

Moreover, inasmuch as the said Resolution refers to the former Resolution of the 1st of October, the Government can so much the less find in it a valid reason for the so-called Execution which has lately been decreed, as

1. The formal abolition of the Royal Patent of March 30, which the last-mentioned Resolution related to, has been effected later; as

2. The mediation proposed by Her Britannic Majesty's Government for the purpose of arriving at a solution of the differences pending between Denmark and the Confederation has been accepted by the King's Government in the sitting of October 29; and lastly, as

3. The King's Government have declared in the same sitting that they are ready "to satisfy the Confederation in every point in which the autonomy and parity of rights demanded for the countries belonging to the Confederation may not be regarded as sufficiently guaranteed." But now the right of Succession of His Majesty the King and the validity of the Treaty of London of May 8, 1852, have also been questioned by the Diet, and under these circumstances the peculiar character of the so-called Federal Execution becomes the more evident to us inasmuch as, even taking the view which the Germanic Confederation does, it is evident that the recognition by the Confederation of His Majesty the King as Duke of Holstein and Lauenburg ought, at least, to have preceded any demand with reference to the constitutional position to be given to the Duchy of Holstein by His Majesty in the quality of Duke of Holstein.

Lastly, we must also observe that the summons addressed to the Government of the King differs in a very important point from the provisions of the Decree of Execution o August 30, 1820 (Article 10), since the Government of the King is no longer allowed a chance of preventing the Execution by the accomplishment of demands laid down with precision; the Execution, on the contrary, being indicated as the sole object of the resolution.

Under these circumstances the King my august Sovereign cannot recognize in the so-called Execution decreed a proceeding based on Federal law, but reserves expressly all his sovereign and dynastic rights. His Majesty has ordered the Undersigned to protest formally, as he does by the present note, against the evident infraction of them which is contemplated, and he further reserves to himself to take any subsequent decisions which he may consider in conformity with his rights and interests.

Inclosure 2 in No. 492.

Sir A. Buchanan to M. de Bismarck.

Sir, *Berlin, December* 20, 1863.

I HAVE the honour to inform your Excellency that the Government of His Majesty the King of Denmark have requested the Minister of the Queen my Sovereign at His Majesty's Court to acquaint me with their formal decision to withdraw their troops from Holstein on the entrance of those of the German Confederation, and that orders have

been given to the General commanding the troops of Denmark, to concert with the General of the Federal troops as to the mode of evacuation.

In communicating this information to Sir Augustus Paget, the Government of the King of Denmark stated that M. de Quaade had also been made acquainted with it; but, probably because M. de Quaade is no longer accredited to the Government of His Majesty the King of Prussia, they wished to avail themselves of my good offices to request that the Prussian General, or the officer who may be in command of the Federal troops on the frontier, may receive instructions to communicate with the commanding officer of the troops of His Danish Majesty on this subject.

I have, &c.
(Signed) ANDREW BUCHANAN.

No. 493.

Sir A. Buchanan to Earl Russell.—(Received December 23.)

My Lord, *Berlin, December 21, 1863.*

I HAVE the honour to inclose herewith to your Lordship a précis by Mr. Morier of the speeches made by M. de Bismarck in the course of the debates on the Address. Your Lordship will remark the statement made by M. de Bismarck that Prussia can have war at any moment she likes. War destroys every Treaty, and would annul the London Protocols; and the Government may then recognize the Augustenburg Succession.

I have, &c.
(Signed) ANDREW BUCHANAN.

Inclosure in No. 493.

Précis of M. de Bismarck's Speeches in the course of the Address Debates.

AFTER some personal observations in reference to the Mover of the Address, Professor Virchow (the celebrated physiologist), to the effect that anatomy and statesmanship were different branches of human knowledge; that proficiency in the one did not imply proficiency in the other; and that it was impossible for a professional man to refute, in either science, the fallacies of a *dilettante*, except before a professional audience (which, in the matter of Statesmanship, he implied that the House of Deputies was not); M. de Bismarck went on to remark that he had been successively accused of going with France, then with Russia, then with both, and more lately with Austria; and lastly, that in the Schleswig-Holstein question he went hand-in-hand with England. These accusations were self-contradictory, and therefore the one negatived the other. As regarded the objection that the Federal Execution was either in excess of Federal competency, or that it recognized the *statius quo* in regard to Holstein, he would refer to Section 32 of the Final Act of Vienna, from which it would appear that an Execution need not necessarily be directed against the Government of a Federal State. The question as to why the European Powers did not take up the same position in this question which they had done in reference to the change of dynasty in Greece could only be answered by calling to mind that the European Powers did not, in their international transactions, take judicial interpretations, but their own interest, as their rule of conduct. In regard to the part he had personally acted in the negotiations between the King of Denmark and the Duke of Augustenburg, he could only say that he had been repeatedly thanked by His Serene Highness for the manner in which he had brought these negotiations to a close. He would now turn to the practical side of the question. He looked upon the Address as a mere episode in the discussion respecting the loan. He had given all the explanation which the Government could give in the Committee. The House considered the explanation insufficient, and therefore proposed to pass over the heads of the Ministers, and address itself directly to the Crown. That the King knew nothing of the political state of the country; that he received incorrect reports of what was going on; and that he required to be better informed by the House,—was a fiction which no Member of that House seriously believed in. The Address was nothing more nor less than an introductory step towards the refusal of the loan. In order to prepare the refusal, the House ascribed motives to the Government which did not exist. Were the Government following the policy which the House supposed, they would from the first moment have stood fast by the Treaty of London, and they would have said a Treaty is a Treaty, and not have left themselves a loophole through

which to escape from the Treaty. Under such circumstances, nothing could have been more welcome than the refusal of the loan, for the Government would then have been in a position to tell the Diet that from a want of the necessary means they were unable to fulfil the obligations imposed upon them by the Diet. Our policy, M. de Bismarck went on to say, is a different one. It is, as His Majesty has said, not to allow that one square foot of German territory or one German right should be sacrificed. The road which we have taken to carry out this policy does not appear to you the right one, but the choice of the right road is possible to the Government only; an Assembly of 350 Members cannot at the present day guide the policy of a great State, or dictate to a Government every step of a programme to be carried out. But neither the concession of the loan, nor the Federal Execution itself, excludes the possibility of any day going over to a policy such as that recommended in the Address. If you succeed either in persuading the Ministry or turning it out, such a change of policy is ready to your hand. As matters now stand, we can have war any moment we like. War destroys every Treaty, and would annul the London Protocol, and the Government may then recognize the Augustenburg Succession. If the latest news from Copenhagen should receive official confirmation, we may be on the point of coming to you with a demand for a loan to meet a great war. The Schleswig-Holstein question has two sides, the Federal and the International. The demand for the present loan is connected solely with the former. If the word "Schleswig" is once named, which we have not yet done, the international side of the question is touched upon, and any moment we may come before you with a demand for a loan of 50,000,000, or 100,000,000. The moment when such warlike complications may arise no one can foretell; any disputed point upon the Federal frontier towards Schleswig can of itself bring about a state of war. Do not fear that this chance will escape you if you grant the loan. In a moment such as the present, to prevent Prussia from fulfilling her Federal obligations, to force her to abstain from the most necessary coastal defences, to allow her in a possible war with Denmark to be, even in the field, the weaker of the two, by refusing the sums necessary to place the Prussian army on a war footing,—such a policy involves the incurring of a heavy responsibility towards the Fatherland.

At the close of the debate M. de Bismarck again spoke, but his observations were of a personal nature only, and possessed no political interest.

No. 494.

Mr. Ward to Earl Russell.—(*Received December* 23.)

My Lord, *Hamburgh, December* 21, 1863.

AN Austrian brigade, 5,708 strong, composed of infantry and chasseurs, with artillery, has taken up its quarters in this city, as a part of the first reserve of the Federal Army of Execution in Holstein and Lauenburg, in conjunction with a Prussian force of the same amount about to be quartered at Lübeck, and which are to form together a first reserve of nearly 12,000 men.

The actual Army of Execution, consisting of a brigade of 6,000 Saxons, and another of 6,000 Hanoverians, is reported to be approaching, and will doubtless reach the frontier in time to enter the Duchies of Holstein and Lauenburg on the 23rd instant, in conformity with the orders of the Federal Diet.

The Burghership of Hamburgh has voted a million of marks banco (about 75,000*l.*) towards enabling the Executive to provide armed steamers to cruize at the mouth of the Elbe for the protection of Hamburgh shipping in the event of a war or blockade. The Government of Bremen is, I understand, about to take similar steps for the protection of its shipping at the mouth of the Weser.

I have, &c.
(Signed) J. WARD.

No. 495.

*Earl Russell to Lord Bloomfield.**

My Lord, *Foreign Office, December* 23, 1863.

HER Majesty's Government have heard from Dresden, that in a speech lately delivered by M. de Beust, in the Saxon Parliament, there was the following paragraph:—

* A similar despatch was addressed to Sir A. Buchanan.

"It is scarcely necessary for me to remind the Chambers that the Saxon Government has for a number of years advocated, as a leading principle, that the German States not included among the Great Powers, by which I mean, not only those of secondary rank, but all together, should cement a closer union in order to obtain, when necessary, a more practical weight in questions affecting German policy, and this not with a view to create discord or a separation of interests, but as a means of consolidation. The leading and dominant idea in this project has been that an occasion might arise in which this group of German States, representing, as it would, if united, a very important interest, might serve not only to urge upon the two Great Powers a purely German line of policy, but even to enforce it against their will."

Your Excellency is desired to read this despatch to Count Rechberg.

I am, &c.

(Signed) RUSSELL.

No. 496.

Earl Russell to Sir A. Buchanan.

(Extract.) *Foreign Office, December* 23, 1863.

WITH reference to your Excellency's statement that M. de Bismarck is of opinion that although Prussia may be bound to Denmark by the Treaty of London, yet all Treaty arrangements would end in the event of a war between the two countries, Her Majesty's Government consider that a war waged by Germany against Denmark on the ground of grievances alleged to exist in Holstein and Schleswig would be a very different thing from a war on grounds of the Succession claimed by the Prince of Augustenburg, mixed with the old grievances of Germany. If the overthrow of the Dynasty now reigning in Denmark is sought by Germany the most serious consequences may ensue.

No. 497.

Sir H. Howard to Earl Russell.—(Received December 24.)

My Lord, *Hanover, December* 22, 1863

COUNT PLATEN received an answer yesterday from M. Hall, the President of the Danish Ministry, to the identic note which he addressed to him on the part of the Hanoverian Government as one of the four German Governments charged with the Federal Execution in Holstein and Lauenburg, communicating the Resolution of the Diet of the 7th instant.

This answer, as Count Platen informed me to-day, contains a protest against the Federal Execution, as exceeding the competency of the Diet after the measures already taken by Denmark to satisfy the demands of the Confederation in respect to the German Duchies.

Count Platen told me that intelligence had reached him of the issue by King Christian IX, of a Proclamation declaring his intention to uphold the common Constitution for Denmark and Schleswig of the 18th of November last.

His Excellency observed that this new act of His Majesty's might give a different and more serious turn to the affair. It remained to be seen in what light it would be viewed by the Austrian and Prussian Governments.

I think it right to mention that I learnt from Count Platen yesterday that M. Nieper, the Hanoverian Commissary for the Execution, had lost no time in telegraphing on the preceding day to his Saxon colleague, as well as to the Saxon Commander-in-chief of the Corps of Execution and the Hanoverian General commanding the Hanoverian Contingent, the communication which I had made to his Excellency on the part of the Danish Government relative to the evacuation of Holstein by the Danish troops, as reported in my despatch of the 20th instant.

The Prussian Minister here has communicated to Count Platen a note addressed on the 20th instant by Her Majesty's Ambassador at Berlin to M. de Bismarck conveying the same intelligence.

I have, &c.

(Signed) HENRY F. HOWARD.

No. 498.

Sir A. Malet to Earl Russell.—(*Received December* 24.)

My Lord, *Frankfort, December* 22, 1863.

THE meeting of Members of the various German Representative Bodies which I had the honour of informing your Lordship would take place here by my despatch of the 19th instant, was held yesterday, and was attended by between 400 and 500 Members.

Little or no scrutiny was exercised as to the genuineness of pretensions or qualifications for assisting at this meeting, several of those present being rejected candidates, and others not now sitting Members of any Legislative German Chamber. There were also Austrians present who are merely Members of Provincial Assemblies.

Still a respectable number of volunteers from actually existing Parliamentary Bodies, including about sixty Members of the Prussian Second Chamber, attended, and the whole assemblage may be taken to have afforded a fair representation of universal German national feeling on the Schleswig-Holstein question, to discuss which they had spontaneously come together.

The result was precisely what I had anticipated in my despatch above alluded to, namely, the appointing a permanent Committee, the objects of which are thus defined, "to exert themselves, 1st, where and whenever this is not already the case, that the rights of Duke Frederick should be recognized, and that this recognition be carried out by the Diet; 2nd, that irrespectively of foreign pretensions these rights should be determined, the separation of the Duchies from Denmark effected, and their independence and inseparable connexion forthwith established."

They bind themselves also to support such German Governments as act honestly and energetically in behalf of the plenary rights of the Duchies, and to oppose, by all Constitutional means, those Governments which in this question sacrifice the rights and the honour of Germany.

To carry out these resolutions a Committee of thirty-six Members was chosen, with power to appoint a smaller Committee for transacting business. The proposition was made by M. Barth, and the names for the select Committee are, as I am told, entirely chosen from the ultra-Liberal list.

These results were not obtained without opposition, Count Lerchenfeld, one of the Vice-Presidents, and forty-two other Members making protest against the appointment of the Committee as having no legal subsistence, and, consequently no right to dispose of monies collected, or to exercise any authority whatever, and as consequently liable to be in immediate conflict with existing authority.

The vast majority of the Assembly, however, were of a contrary opinion, and the greater number of the opponents having quitted the hall, the Resolutions were carried with apparent unanimity.

A final proposition was introduced to the meeting by a M. Kolb, Member of the Wurtemberg Chamber, to the effect, that the Schleswig-Holstein question was a fresh evidence of the necessity of granting German rights by the speedy establishment of a general national representation (Parliament), which proposition on the motion of a M. Seeger, also of Wurtemberg, was unanimously carried amidst the acclamations of the Assembly, and enthusiastic applause of the spectators in the galleries.

I have, &c.

(Signed) A. MALET.

No. 499.

*Earl Russell to Lord Bloomfield.**

My Lord, *Foreign Office, December* 24, 1863.

HER Majesty's Government are disposed to consider that, if the Diet of the German Confederation should be consulted in regard to the present state of affairs, it might be satisfied with such a recognition of its claims to take part in a settlement, and might find in it a ground for avoiding to push matters to the extremity of war, the result of which it must feel sensible may lead to important changes in Europe.

Her Majesty's Government desire, therefore, that you should ascertain from

* A similar despatch was addressed to Sir A. Buchanan.

Count Rechberg how far such a course of proceeding as the following would meet with his Excellency's concurrence.

Her Majesty's Minister at Frankfort might receive instructions to state to the Diet that, by the Treaty of London of May 8, 1852, Great Britain, as well as France, Russia, and Sweden, agreed to recognize His present Majesty King Christian IX as Successor to all the dominions held by the late King of Denmark, and this agreement they have fulfilled. Under such circumstances the Diet must be sensible that, by adopting a course opposed to the Treaty of London, the Diet might afford an opening for a very unfortunate state of things.

The Diet would perceive from the copy of that Treaty which Her Majesty's Minister had been instructed to communicate to the Diet, that Her Majesty's Government are clearly bound to recognize King Christian IX as Duke of Holstein.

But Her Majesty's Government, in order to contribute as far as might be in their power to a settlement of existing difficulties, have thought it right to apprize the Diet that, if a solution of these difficulties can be expected from a Conference upon Danish affairs, to be held at any place that may be agreed upon, and at which Representatives of all the Powers parties to the Treaty of London, and, if desired by the Diet, a Representative also of the German Confederation, should assist, Her Majesty's Government are prepared to take part in such a Conference.

I am, &c.
(Signed) RUSSELL

No. 500.

Earl Russell to Sir A. Buchanan.

Sir, *Foreign Office, December* 24, 1863.

M. BISMARCK appears from your telegram of the 22nd instant to have intimated to you his opinion that if the King of Denmark should not annul the Constitution of the 18th of November, so far at least as it applies to the Duchy of Schleswig, before the 1st of January, the King of Prussia would have to choose between two courses: first, the repudiation of the Treaty of 1852, leaving it in that case to the Diet to vote, in opposition to Prussia, that the Prince of Augustenburg should be installed as Sovereign in the Duchy of Holstein; or, secondly, the maintenance of the Treaty of 1852 in return for an engagement on the part of the other Powers who were parties to that Treaty that they would remain neutral in a war which Germany might urge against Denmark in behalf of the rights of Schleswig.

Her Majesty's Government, however, cannot accept either of these alternatives. The Danish Government will, it is understood, offer no resistance to the entrance of Federal troops into Holstein; but that those troops, having entered Holstein on the ground of Federal rights, should be used for depriving the King of Denmark altogether of the Duchy of Holstein, and for transferring that Duchy to another claimant, would be a proceeding of which Her Majesty's Government could not possibly approve.

It would be no less impossible for Her Majesty's Government to enter into any engagement that if the Federal troops should not limit their operations to the Duchy of Holstein, but should on some pretence or other extend their operations to the Duchy of Schleswig, Her Majesty's Government would maintain an attitude of neutrality between Germany and Denmark.

But Her Majesty's Government are fully alive to the perils of the present state of affairs, and are sensible of the critical character which attaches to the next step to be taken with regard to them.

For this reason, if it were proposed that a Conference should be held consisting of the Ministers of the Powers who signed the Treaty of May 8, 1852, with the co-operation, if desired by the Diet, of a Representative to be named by the Confederation, Her Majesty's Government would readily assent to such a proposal, and would not object to any particular place that might be named as the seat of the Conference; and if the Government of Prussia is of opinion that such a course might be attended with beneficial results, there is no reason, so far as this country is concerned, why M. Bismarck should not propose it to the French Government.

I am, &c.
(Signed) RUSSELL.

No. 501.

Lord Napier to Earl Russell.—(*Received December* 25.)

My Lord, *St. Petersburgh, December* 18, 1863.

I LEARN from Prince Gortchakoff that the pretended Secretary for Foreign Affairs to the Prince of Augustenburg has sounded the Russian Minister at Frankfort in respect to the transmission of a letter to the Russian Court, intimating the accession of the Prince to the dignity of Duke of Schleswig-Holstein.

The Russian Minister replied that such a letter could not be accepted, for Russia was bound by the Treaty of 1852, and failing that, there were rights belonging to the Imperial family itself concerning the Duchies.

Prince Gortchakoff has approved the language of the Russian Minister, and has instructed him that no communication on the part of the Prince of Augustenburg would be accepted.

I have, &c.
(Signed) NAPIER.

No. 502.

Lord Napier to Earl Russell.—(*Received December* 25.)

My Lord, *St. Petersburgh, December* 20, 1863.

PRINCE GORTCHAKOFF informed me yesterday that he had given orders to M. d'Ewers to support Lord Wodehouse in demanding the abrogation of the recent fundamental statute passed by the Danish Chambers.

I have, &c.
(Signed) NAPIER.

No. 503.

Earl Russell to Sir A. Buchanan.

Sir, *Foreign Office, December* 25, 1863.

THE Diet sitting at Frankfort appears to claim a right to decide on questions of Succession in the several States composing the Confederation, and to be bent on asserting such right in the present case of the Succession in the Duchy of Holstein.

Her Majesty's Government are not aware on what that right is founded, and you will accordingly request M. Bismarck to point out to you, for their information, the Treaty or other document which is supposed to confer it on the Diet.

You will not cease your endeavours to induce the Prussian Government to refrain from taking any hasty step against Denmark. Any precipitate action on the part of the German Confederation at the present moment may lead to consequences fatal to the peace of Europe, and may involve Germany in particular in difficulties of a most serious nature.

I am, &c.
(Signed) RUSSELL.

No. 504.

Lord Wodehouse to Earl Russell.—(*Received December* 26.)

(Extract.) *Copenhagen, December* 19, 1863.

I HAVE the honour, in continuation of my despatch of December 16, to report my proceedings up to this time.

I called upon M. Dotézac on the evening of the 16th, and, after showing him my instructions, pressed upon him to inform me whether he could join me in any communications to the Danish Government in the sense of those instructions. The only result of a long conversation was that M. Dotézac informed me that he must refer me to General Fleury, he himself not being authorized to take any steps in the matter. I did not see General Fleury that evening, as he was too much fatigued with his journey. The next morning he called upon me.

He said that Her Majesty's Ambassador at Paris had shown him my instructions, and that he would tell me at once that his own instructions from the Emperor were not to take part in any negotiations here, but to tell the Danish Government explicitly that if Denmark became involved in a war with Germany, France would not come to her assistance, and to advise in general terms moderation and concessions to Germany.

I informed him that I had been directed to urge the Danish Government to put an end to the Constitution of November 18 for Denmark and Schleswig, and I asked him whether he would join M. d'Ewers and me in the communication which we were about to make in this sense to M. Hall. General Fleury said that he could not give such advice without further instructions, but that he would immediately ask for instructions by telegraph. At all events, however, he observed, the general advice which he was ordered to give could not fail to have a powerful effect upon the Danish Government.

On the previous day I called upon M. d'Ewers, and after making known to him the substance of your Lordship's telegraphic instruction as to the Constitution of November 18, I said that in my opinion it was desirable that no time should be lost in urging upon the Danish Government to take steps to put an end to the Constitution, and that, if possible, a joint communication to this effect should be made by the Envoys from France, Great Britain, Russia, and Sweden.

It was of course, I added, understood that although the Constitution must, in fact, stand or fall as a whole, we should limit our advice to recommending that it should be revoked as regards Schleswig, since the engagements of Denmark to Germany could have no reference to the Kingdom, and that we should leave to the Danish Government to choose the means by which the law should be rendered inapplicable to Schleswig.

M. d'Ewers said that although he was not directed to give such advice to the Danish Government, he had no hesitation in associating himself with me in the step which I proposed to take, as such a step would be in conformity to the spirit of his instructions. He also entirely concurred with me as to the mode in which it would be advisable to make the communication—namely, by an identical note signed by all four Representatives.

If our colleagues would not consent to this form, then we agreed that we would make the communication verbally to M. Hall.

On further consideration, M. d'Ewers referred to his Government for instructions, in order that he might be able to state that he was expressly commanded by his Sovereign to urge that the Constitution should be made inapplicable to Schleswig; and I am glad to say that he received an answer desiring him to act entirely in concert with me.

It was arranged that we should wait for General Fleury to receive his instructions from Paris, and that in the meantime we should invite our Swedish colleague, Count Hamilton, to join us.

In the evening I called on Count Hamilton, and had a long interview with him. I found that after my first conversation with him he had inquired of his Government by telegraph, whether, if I advised the Danish Government to revoke the Constitution of November 18, he was to give similar advice. He did not conceal from me that he had not recommended his Government to send an affirmative answer.

I explained to him fully the views of Her Majesty's Government, both as to the maintenance of the Treaty of 1852, and the obligations of Denmark to fulfil her engagements to the German Powers; and I pointed out to him how impolitic it would be for Sweden to separate herself from the other non-German Powers who signed the Treaty of 1852.

I also told him that since I had seen him, I had received explicit instructions from Her Majesty's Government to urge the Danish Government to put an end to the Constitution; and I acquainted him with the communication which I had had with M. d'Ewers and General Fleury. I did not succeed in making much impression upon him, but he referred again to Stockholm for instructions.

To-day General Fleury informed me that he had received a reply from Paris, authorizing him to urge the revocation of the Constitution. The General told me that he should speak to the King and M. Hall in this sense before his departure for Berlin, which he has fixed for to-morrow.

No. 505.

Lord Wodehouse to Earl Russell.—(*Received December* 26.)

My Lord, *Copenhagen, December* 21, 1863.

IN my despatch of the 16th instant, reporting the conversation which I had with M. Hall, immediately after my arrival here, I omitted to mention that his Excellency alluded to the Act of Guarantee entered into by Great Britain, in 1720, with regard to Schleswig; upon which I observed that I thought it was of little practical use to appeal to an Act concluded with reference to circumstances so entirely different, and that Denmark should rather endeavour to maintain the Treaty of 1852.

I have, &c.
(Signed) WODEHOUSE.

No. 506.

Lord Wodehouse to Earl Russell.—(*Received December* 26.)

My Lord, *Copenhagen, December* 21, 1863.

SIR AUGUSTUS PAGET having communicated to me a letter addressed to him on the 19th instant by M. Hall, announcing the decision of the Danish Government not to offer resistance in Holstein to the forces of the Confederation, and stating that this decision has been taken especially in consequence of the representations of Her Majesty's Government, I think it right to observe that whilst I pointed out to M. Hall, at my first interview with him, the danger of opposing the Federal troops, and expressed my opinion that it would be most imprudent for Denmark to precipitate a war by resistance to the Execution, I was careful to explain that Her Majesty's Government could not take upon themselves the responsibility of the determination which might be arrived at by the Danish Cabinet.

I have, &c.
(Signed) WODEHOUSE.

No. 507.

Lord Wodehouse to Earl Russell.—(*Received December* 26.)

My Lord, *Copenhagen, December* 21, 1863.

M. D'EWERS and I had an interview yesterday with M. Hall, for the purpose of communicating to his Excellency the views of our Governments as to the Constitution of November 18, for Denmark and Schleswig.

At M. d'Ewers request I opened the discussion.

After stating to M. Hall the substance of the conversation which I had with M. de Bismarck, I gave him a copy of the Memorandum of the demands of Austria which I transmitted to your Lordship in my despatch of the 12th instant, explaining at the same time that I was in no way responsible for its contents.

I went on to say that Her Majesty's Government were of opinion that the Constitution of November 18 was a violation of the engagement of Denmark that Schleswig should not be incorporated with the kingdom, and that no steps should be taken tending thereto, and that I was therefore instructed to advise the Danish Government to take measures to render it inapplicable to Schleswig. His Excellency, I said, knew how strongly Her Majesty's Government had urged upon the German Powers to abide by the Treaty of 1852; he could scarcely be surprised that Her Majesty's Government should equally call upon Denmark to fulfil her engagements to the German Powers.

Denmark, besides the engagements with regard to Schleswig, to which I had already referred, had promised that a common Constitution should be established for the whole Monarchy.

The attempt to frame a common Constitution had failed because it had been found impossible to reconcile the divergent views of Denmark and Germany as to the meaning of the equal rights which were to be secured to all parts of the

Monarchy. I had never, I said, concealed my opinion, and had no wish to retract it now, that the German demand that Holstein and Schleswig should return an equal number of members with the Kingdom in the common Parliament was inadmissible, because it would give an undue share of political power to a minority of the population; but, although this was a sound reason for relinquishing the plan of a common Constitution, it did not follow that Denmark was thereby released from the engagement not to incorporate Schleswig with the Kingdom. It must not be forgotten that if Denmark had bound herself not to incorporate Schleswig, the German Powers had promised in return not to oppose the dissolution of the connexion between Schleswig and Holstein. It was therefore a grave question for the Danish Government to consider whether, if the Constitution of November 18, were maintained, the German Powers might not justly hold themselves released from the obligation not to demand the revival of the former connexion between Schleswig and Holstein. Would that, I asked, be a result advantageous to Denmark?

I was aware, I said, that the new Constitution was to a great extent identical with the existing Constitution, but there was this material difference, that the existing Constitution was a Constitution originally framed for the whole Monarchy, in which Holstein had a place, whereas the new Constitution would include only Denmark and Schleswig, Holstein having been placed in an independent position. I begged that his Excellency would understand that in advising the Danish Government to revoke the Constitution as regarded Schleswig, we by no means recognized the right of the German Powers to make the fulfilment of their obligations under the Treaty of 1852, conditional upon the fulfilment of the engagements taken by Denmark in 1851-52. But if Austria and Prussia had at once recognized the King as Duke of Holstein and Lauenburg, as Her Majesty's Government maintained they were bound to do, they would have had a perfect right to demand from His Majesty the execution of these engagements entered into by his predecessor.

The object of Her Majesty's Government was to open the way for renewed negotiations between Germany and Denmark. But as Austria and Prussia would not consent to negotiations if the Constitution of November 18 were maintained, it was necessary that this obstacle should be first removed. If this were done the questions at issue between Germany and Denmark might be settled in Conferences between the Powers who signed the Treaty of 1852.

M. d'Ewers said that his instructions were similar to mine. He was desired to urge strongly upon the Danish Government the revocation of the Constitution, and he had only to express his entire agreement with the general tenour of my statement.

M. Hall replied that he could not admit that the engagements of Denmark had been violated by the Constitution of November 18; but without entering into an argument upon this point, which would be useless, as there was no chance of our arriving at any agreement upon it, he would ask what would Denmark gain by following our advice? Was there the least reason to suppose that the revocation of the Constitution would satisfy Germany? Would not this concession be merely the prelude to further demands? Denmark wanted a final settlement of the affair, but the only prospect we held out to him was the recommencement of the interminable negotiations with Germany, in which so many years had been consumed without result. He wished for nothing better than a reference of the questions in dispute to a Conference of the Powers who signed the Treaty of 1852; but what assurance had the Danish Government that if they took our advice the matter would be referred to a Conference? Denmark was quite ready to take part in the Congress proposed by the Emperor of the French, but England had declined the Emperor's proposal, and France would not negotiate elsewhere than at the Congress.

I said I could not deny the existence of the difficulty as to France to which he had alluded, but if the Danish Government rejected our advice what was the alternative? He had asked me what Denmark was to gain if the Constitution was revoked, but the question was rather what she would lose if it was not revoked. M. de Bismarck, I said, had distinctly declared to me that if steps were not taken before January 1st to render the Constitution inapplicable to Schleswig, Austria and Prussia would consider themselves released from all their engagements, including the Treaty of 1852. Would it not be a most decided gain for Denmark to prevent the formal repudiation by Austria and Prussia of the Treaty which recognized the right of King Christian to the throne, and of the engagement not to demand the revival of the connexion between Schleswig and Holstein?

I entreated his Excellency to weigh well the gravity of the dangers which threatened Denmark. General Fleury had informed M. d'Ewers and me that he was instructed to tell the Danish Government that France would not go to war to support Denmark against Germany. It was my duty to declare to him that if the Danish Government rejected our advice, His Majesty's Government must leave Denmark to encounter Germany on her own responsibility. Surely there was nothing inconsistent with the honour of Denmark in yielding to the united counsels of England, France, and Russia.

M. d'Ewers said that M. Hall would do the Russian Government the justice to admit that they had never varied in their language. They had constantly warned the Danish Government against the hazardous policy which they were pursuing. He pointed out forcibly the perilous situation in which Denmark was placed, and concluded by saying that he was instructed to declare in explicit terms that Russia must leave to Denmark the responsibility of the consequences which might ensue from the rejection of our advice.

M. Hall replied that he was but too sensible of the dangers with which Denmark was menaced if she rejected our advice, but the danger of accepting it seemed to him still more serious. At present the King and his people were united, and this cordial union of the King with the people was a tower of strength. But if the Constitution were revoked, this great advantage would be lost. He acknowledged that the Russian Government had always taken an unfavourable view of the policy of the Danish Government, but he said he had hoped that Her Majesty's Government would have regarded the Constitution of November 18 in a less adverse light, and would not have urged further concessions to Germany.

I said that the fulfilment of an engagement was not a concession but a duty. Her Majesty's Government were most sincerely desirous to uphold the integrity of Denmark, and they had given proof of their sincerity by the earnestness with which they had endeavoured to dissuade the German Powers from violent measures; but how was it possible that they could support Denmark if the Danish Government set aside a positive engagement?

"But," M. Hall asked, "supposing we were willing to take your advice, how can we comply with the demand of the German Powers that the Constitution shall be revoked before January 1st? The Rigsraad will be closed to-morrow, and even if it were to remain sitting, there is not the slightest probability that it would consent to undo the work that it has so recently completed."

I said the Danish Government were the best judges of the manner in which the law could be changed, but of course he would understand that Her Majesty's Government would never advise recourse to unconstitutional means.

As M. Hall pressed me to give some opinion upon this point, I said that without pretending to comprehend the precise effect of Danish laws, I thought it was not impossible to find a way by which the measure we recommended might be carried through. For instance, the session of the present Rigsraad might be prolonged, and a proposal to revoke the Constitution might be made to that Assembly. In a moment of so much danger to the Monarchy as the present, it seemed to me in strict accordance with the spirit of a Constitutional Government that the King should lay before the Parliament of the nation the advice which he had received from his allies, and should leave to that Parliament the responsibility of rejecting or accepting that advice. If the time was too short before January 1st to pass a repealing Act, I felt confident that Her Majesty's Government would urge upon Prussia and Austria to extend the term they had named, and it could hardly be supposed that so reasonable a request would be refused. As to the objection that the Rigsraad would expire by law on the 1st of January, it would not be a great infringement of constitutional principle, though it might be contrary to the letter of the statute, if, at so alarming a crisis of the Monarchy, the Rigsraad, as the supreme authority of the State, passed a Resolution, with the consent of the King, to prolong its own existence till it had finished the work in hand.

M. Hall said that a fatal objection to any such plan was that it was necessary, by the existing Constitution, that three-fourths of the members should be present, and two thirds should vote for any measure changing the Constitution. It was one of the advantages of the new Constitution that a simple majority would be sufficient.

I suggested that if this plan could not be adopted, perhaps a pledge could be given to the German Powers that the Schleswig members should not be summoned to the new Rigsraad, and then the new Rigsraad, without the Schleswig members,

might be summoned at the beginning of next year to consider the repeal of the Constitution, and might be asked to pass a Bill of Indemnity to the Ministers who had advised that the Schleswig members should not be summoned.

M. Hall said that it was of no use to call together an Assembly merely for the purpose of committing suicide. In short, his Excellency was evidently determined not to admit that any means could be found of doing what we advised; and the closing of the Rigsraad, which has taken place to-day, has, I am sorry to say, afforded conclusive proof how slight an impression my arguments made upon him.

Your Lordship will gather from this despatch that M. Hall gave us very little reason to hope that our advice would be listened to; but, as was natural, he could not return any decided answer until he had consulted with his colleagues.

I cannot conclude this despatch without stating how much I am indebted to the friendly and cordial support which I received from my Russian colleague throughout this interview. If I have not reported his language at length, it is not because he did not take his share of the discussion, but because it is needless to repeat arguments which coincided so nearly with those used by myself.

I have, &c.
(Signed) WODEHOUSE.

No. 508.

Lord Wodehouse to Earl Russell.—(*Received December* 26.)

My Lord, *Copenhagen December* 22, 1863.

GENERAL FLEURY had an interview on the 20th instant with M. Hall, immediately after the interview of M. d'Ewers and myself with his Excellency.

A few words passed between the General and us in the anteroom, the General stating that he was about to support the advice which we had given.

In the evening of the same day General Fleury left Copenhagen for Berlin.

The Swedish Minister had also an interview on the 20th with M. Hall. I have not had an opportunity of asking Count Hamilton what passed on that occasion, but he informed Sir Augustus Paget that he gave no advice as to the Constitution, but confined himself to general observations, as he had led me to expect he should.

I have, &c.
(Signed) WODEHOUSE.

No. 509.

Sir A. Paget to Earl Russell.—(*Received December* 26.)

(Extract.) *Copenhagen, December* 22, 1863.

IT having been agreed between Lord Wodehouse and myself that I should go to M. Hall after his Lordship and M. d'Ewers had had their joint interview with him, I called upon his Excellency on Sunday afternoon immediately after this interview had taken place.

I had, moreover, another reason for wishing to see his Excellency, viz., to communicate to him an answer I had received from Sir Henry Howard to the telegram I had sent him the evening before, in compliance with the request contained in his Excellency's letter of the same day.*

Having done this, I said I now wished to speak to him most seriously on the representation which had just been made to him, and I felt that I had some right to do so, for I had all along warned his Excellency of the dangers into which he was running his country.

I reminded his Excellency that in our first conversation respecting the new Constitution, I had spoken of the construction which would be put upon the measure; that even the Danish Press did not attempt to conceal that its object was to effect a closer union with Schleswig, in other words, ultimately to incorporate the Duchy; and that I urged his Excellency to adopt a suggestion which had been made by one of the members of the Rigsraad to suspend the Bill, at all events until the next session. (Your Lordship will find this recorded in my despatch of the 14th of October.) That to all this reasoning, and to subsequent attempts I

* See Nos. 484 and 510.

had made in the same sense, even up to the very day before the third reading of the Bill, when he had expressed doubts to me as to its passing, and I had urged him not to risk the existence of the Cabinet upon it, but to take advantage of the offer of mediation which had then been made respecting the international questions, and to state to the Rigsraad that the Government did not feel justified in proceeding with a measure which would in some degree prejudge the result of the negotiations, on all these occasions, I said, he had turned a deaf ear, and had told me that the new Constitution would facilitate an arrangement instead of impeding it. I did not, I said, revert to the past for the sake of reproaching, but because I wished to show that to the policy of the present Government must in a great degree be attributed the serious aspect which affairs had now assumed.

M. Hall here interrupted me by saying that, at all events, I had not predicted the death of the King, to which circumstance, which favoured the designs of Germany for dismembering the Monarchy, more than to the Constitution or to anything else, the attitude of Germany was now owing; and he reverted to what had been said by M. de Bismarck to M. Quaade during the negotiations respecting the abolition of the Normal Budget, as justifying the Danish Government in proceeding with the Constitution.

I said it was of no use now discussing this part of the subject. We had now to deal with certain broad facts, which were simply these:—That if the Constitution was not abrogated by the 1st of January, Austria and Prussia would consider themselves absolved from all their engagements to Denmark, including those contained in the Treaty of May 1852. Her Majesty's Government and that of France and Russia, were, as he had just heard, decidedly of opinion that the Constitution was a violation of the Danish engagements; and that it should be withdrawn. If their advice was rejected, they would, of course, consider the Danish Government responsible for what might afterwards occur; and the question, therefore, came to this—would he advise the King to reject the counsels of Russia, England, and France, and expose the country to the hazards of a war with Germany, without the prospect of support from any one Power. As he was the author of the Constitution, which was the principal cause of complaint at this moment, I could not conceal my opinion, I said, that His Majesty had a right to look to him to propose its revocation. This was no time, I said, for personal or private considerations to stand in the way of an act of great public duty.

The King was in no way responsible for the existing crisis. He had found this measure already completed, with the exception of his signature, on ascending the Throne, and his Excellency knew better than any one else what would have been the consequence of His Majesty refusing to sign. For the sake, then, of the King, as well as his country, I entreated him to take upon himself the task which would have to be performed by some one, unless the Monarchy were to be sacrificed. No one, I said, had so much influence in the Rigsraad; and I felt persuaded that if he made an appeal to that Assembly, laying before it a full and correct account of the situation, the advice which had been given by the Powers, and the alternative of its rejection, it would agree to pass a Bill annulling the Constitution of the 18th of November.

M. Hall replied that, according to his notion, the best thing for the Dynasty, as well as for the country, would be to take up a position in Schleswig, and there await an attack of Germany; that even if he could consent, which he never could, to be the instrument for proposing to the Rigsraad the revocation of a measure which he had just succeeded in carrying, and even if he could succeed in getting such a proposition adopted, which he thought an impossibility, he did not see of what advantage it would be to Denmark. There was no promise of support if Germany continued her aggressions; there was no prospect even of the Execution being arrested. The revocation of the Patent of the 30th of March had been asked for; it had been granted: the evacuation of Holstein had been urged; it had been agreed to. If the Constitution was annulled some other concession would be required.

I said that the revocation of the Constitution would certainly not be sufficient in itself, but, this once out of the way, the impediment to negotiations would be removed; and in reply to his Excellency's objection that no advantage would accrue to Denmark by following the course suggested, I asked him to reflect what would be the position of Denmark if the advice of the Powers was refused, and what it would be if accepted, and to draw his own conclusions.

With regard to the course I had suggested his Excellency should take before the Rigsraad, he said that he was sufficiently aware of the difficulties of the situa-

tion, and too good a patriot not to abstain from any act of opposition if the King could find a Ministry who would undertake to carry out the policy that had been suggested.

No. 510.

Sir A. Paget to Earl Russell.—(*Received December* 26.)

(Extract.) *Copenhagen, December* 22, 1863.

I HAVE received a letter from M. Hall acquainting me with the decision of His Danish Majesty to offer no resistance to the entrance of the Federal troops into Holstein, and stating that orders have been given to the Danish General to concert with the Federal Commanders as to the mode of evacuation, both with a view to avoiding a useless conflict and to preventing the outbreak of any revolutionary disturbances.

M. Hall requested me to make this communication known to Her Majesty's Representatives at Vienna, Berlin, Dresden, and Hanover, which I immediately complied with, and on Sunday the 20th I received telegrams from Sir Henry Howard and Mr. Murray stating that the necessary orders had been given by the Hanoverian and Saxon Governments.

No. 511.

Sir A. Paget to Earl Russell.—(*Received December* 26.)

My Lord, *Copenhagen, December* 22, 1863.

I HAVE the honour to inclose herewith a translation by Mr. Kirkpatrick of the Proclamation signed by the King on the 15th instant, calling under arms the troops on furlough in Holstein.

I have, &c.
(Signed) A. PAGET.

Inclosure in No. 511.

Royal Proclamation to the Soldiers on Furlough in Holstein.

(Translation.)

CIRCUMSTANCES have induced us to call out a greater part of our army under arms. We have hitherto been unwilling to summon you from your hearths and homes; unwilling to deprive the country of your strength. But since it is sought from various quarters to mislead you as regards our rights and seduce you from your allegiance we hold it to be our duty as Ruler to summon you to your colours.

We rely on the fact that we have inherited with our Crown your allegiance to the country and its Ruler, for this guarantees to us that honourable position which your comrades assembled under their colours have placed us in.

We will give you leaders whom you know and respect, and whom you feel to have your interests at heart, and who will ever lead you in the path of honour and duty.

Soldiers! hasten hither to your colours, prepared for the possibly approaching struggle for the honour and freedom of the Monarchy.

You will have to report yourselves at head-quarters in our town of Flensburg, whither you will be forwarded by railway without payment, and where the expenses incurred on the journey will be reimbursed to you.

Given at our Palace of Christiansborg, December 15, 1863.

(Signed) CHRISTIAN R.

(Countersigned) C. C. LUNDBYE.

No. 512.

Sir A. Paget to Earl Russell.—(*Received December* 26.)

My Lord, *Copenhagen, December* 22, 1863.

I HAVE the honour to inclose herewith a translation by Mr. Kirkpatrick of the Royal Message addressed by the King yesterday to the Rigsraad in closing the last session of that Assembly. This Message, as your Lordship will perceive, while protesting against the Federal Execution in the Duchies, announces the withdrawal of the Danish troops behind the Eider, and states that there is nothing in the new Constitution which is opposed to an arrangement with Holstein on the basis of a Constitutional union of the Duchy with the rest of the Monarchy.

I have, &c.
(Signed) A. PAGET.

Inclosure in No. 512.

Royal Message on the Closing of the Rigsraad.

WE, Christian IX., &c. To the Rigsraad greeting!

When this Assembly, which to-day closes its career, met for the first time eight years ago, it was greeted by the hope that that arrangement was concluded which was proclaimed in the Royal Patent of 28th January, 1852, and which had found its solution in a common representation for the common affairs of the Monarchy. This hope would have been fulfilled if the German Diet had in its relations with Denmark confined itself to its proper sphere. The Rigsraad knows that the Government against its will, and only under pressure from the Diet, has been forced to annul the common Constitution for Holstein and Lauenburg. The Rigsraad knows the steps which have repeatedly been taken to effect a re-union, without however the possibility of gaining the consent of the Holstein States, which consent had been laid down as a necessary condition.

The new Constitution which the Rigsraad has passed, and which we ratified on 18th November of the present year, rests on the same basis as the existing common Constitution. Nothing is changed as regards the distinction between the common and special affairs, and no competence has been accorded to the Rigsraad in matters which have hitherto belonged to the province of the special representative bodies. It has, it is true, only force in that part of the Danish Monarchy in which the German Diet has no authority, but since it is our intention to give to our German provinces which are members of the German Diet the same independence and freedom, a means will be found by which alone a closer union can take place in a constitutional manner, viz., by an agreement between the Rigsraad and the Holstein States. To such an agreement the new Constitution opposes no obstacle, and it must therefore be in consequence of some misunderstanding that certain Powers have seen a reason for its being left incomplete, however willing they may be to fulfil unconditionally the obligations of a Treaty.

In connection with the wide demands of the German Diet, efforts have been made in Germany towards the disunion of the Danish Monarchy, and it is thought a proper tool has been found in furtherance of such plans. We must hope that Europe will know how to uphold the undivided inheritance of the whole Danish Monarchy, the unmodified existence of which has been recognized as necessary for the maintenance of universal peace.

Notwithstanding that we have fulfilled every decree of the Diet with respect to our provinces which are members of the German Diet, German troops are in the act of occupying not only our Duchy of Holstein but our Duchy of Lauenburg, of whose contentment and loyal allegiance we have received undoubted proofs.

We cannot recognize herein an Execution in accordance with the laws of the Diet; but in order to avoid as long as possible a conflict, we have deemed it right to withdraw our troops, so as to unite the whole power of resistance existing in our people on this side of the Eider, assured that our brave and true people will to a man assemble round their King, when the safety and freedom of our country is at stake.

We now dismiss our Rigsraad. We thank it in our own name and that of the country for its loyal and enduring labours in the difficult years in which it has had to perform its duty, and especially for the readiness with which it has met the great demands which the dangerous position of our country has rendered necessary.

We recommend the Rigsraad, ourselves, our country, and our people to God's gracious keeping.

Given at our Palace of Christiansborg, December 21, 1863.

Under our Royal hand and seal.

(Signed) CHRISTIAN R.

(Signed) HALL.

No. 513.

Sir A. Buchanan to Earl Russell.—(Received December 26.)

(Extract.) *Berlin, December 22, 1863.*

M. DE BISMARCK said, I might be satisfied that His Majesty was still steadfast in his intention to observe faithfully the Treaty of London, if Denmark fulfilled her engagements; but if the hope which has been entertained, that the Danish Government would withdraw Schleswig from the Constitution of the 18th November before the 1st of January next is not realized, his Excellency said he would not be responsible for the decision which might then be taken by His Majesty. It was only because he had convinced the King that, as the Danish Government had not yet carried into execution the new Fundamental Law, they had not yet violated their engagements to the Confederation, that His Majesty had been induced to oppose, as he has hitherto done, the public opinion of Germany, and to hold that he is still bound to fulfil the provisions of the Treaty of London. But if the 1st of January passes without Germany receiving the satisfaction to which the King believes her to be entitled, His Majesty will consider himself entirely released from the obligations of the Treaty.

I replied that his Excellency had already learnt from your Lordship's despatch of the 17th instant, which I had read to him on Sunday, that Her Majesty's Government cannot accept this view of the case, and I said, your Lordship had since informed me that any attempt of Germany to overturn the dynasty of King Christian IX might have very serious results; and I asked why the King should consider himself more bound to fulfil his Treaty engagements under the present common Constitution for Schleswig and Denmark than he will under that of the 18th of November, the provisions of the two being essentially the same; the most important difference between them being that the latter may be modified in the sense of His Majesty's wishes by a bare majority of the new Rigsraad, whereas it had been necessary to obtain the assent of two-thirds of the members of the Rigsraad to amend the Constitution now in force.

M. de Bismarck observed, as he had once done before, that these nice distinctions were useless; that the King required, as he was now entitled to do, that the Constitution of November 18th should not come into force, and it was for the Danish Government to find the means of abrogating it.

No. 514.

Earl Cowley to Earl Russell.—(Received December 26.)

My Lord, *Paris, December 24, 1863.*

HAVING been confined to the house by indisposition when I had the honour to receive your Lordship's despatch of the 19th instant, inclosing copy of your Lordship's despatch of the 17th instant to Lord Wodehouse, and desiring me to read it to M. Drouyn de Lhuys, I was obliged to delegate this task to Mr. Grey, and I have now the honour to inclose a copy of his report of his conversation with the French Minister for Foreign Affairs.

I have, &c.

(Signed) COWLEY.

Inclosure in No. 514.

Mr. Grey to Earl Cowley.

(Extract.) *Paris, December 22, 1863.*

IN obedience to your Excellency's instructions I waited this afternoon on M. Drouyn de Lhuys, and communicated to him Earl Russell's despatch of the 17th instant to Lord Wodehouse.

His Excellency read it with great attention, and was evidently much struck by it, the matter it contained being, as he confessed, quite new to him. He was especially surprised at that part of the despatch which relates to the reply given by the Austrian and Prussian Ministers on the 26th and 30th of December, 1851, to the Danish despatch of the 6th of the same month. M. Drouyn de Lhuys said, that he had no conception that the Austrian and Prussian Governments had ever "waived all objection to the abolition of the common relations between Schleswig and Holstein," and still less was he aware of the fact that the Diet had adhered to this declaration. His Excellency took a note of the dates of the despatches quoted, and also of the numbers of the Articles of the Danish Constitution cited by Earl Russell in order to show that "the Fundamental Law for Denmark proper and Schleswig, sanctioned on the 18th of November, 1863, is virtually an incorporation of Schleswig," and he said he should carefully examine the whole question.

In the meantime the French Minister at Copenhagen was, his Excellency said, instructed to give a general support to the counsels tendered by England and Russia to Denmark, although he had not been furnished with as detailed instructions as those given to Lord Wodehouse by Her Majesty's Government.

M. Drouyn de Lhuys entered into no discussion of the general question, but as I was leaving him he expressed the opinion that, notwithstanding the efforts of England, Russia, and France, the Schleswig-Holstein question would not be settled pacifically.

No. 515.

Earl Cowley to Earl Russell.—(Received December 26.)

(Extract.) *Paris, December 25, 1863.*

I SAW M. Drouyn de Lhuys for a few moments yesterday afternoon, and I asked him whether he had been satisfied with the instructions sent to Lord Wodehouse, which Mr. Grey had communicated to him two days before. His Excellency, without replying to my question, expressed, as he had done to Mr. Grey, his astonishment at the admissions of satisfaction made by the Austrian and Prussian Governments, as well as by the Germanic Confederation, in 1852, with reference to the arrangements of the question of the Duchies then made, of which he professed entire ignorance.

No. 516.

*Earl Russell to Earl Cowley.**

My Lord, *Foreign Office, December 26, 1863.*

THE Swedish Minister, Count Wachtmeister, came to me two days ago, and read to me a very long despatch from Count Manderström on the present situation of Denmark. The Swedish Minister for Foreign Affairs referred to the Treaty of London; to the refusal of the Austrian and Prussian Courts to receive a Minister who was sent to announce the accession of a Sovereign whose Succession was recognized by that Treaty; to the Federal Execution, founded upon grounds many of which were totally unconnected with Federal obligations; and to various other topics, showing the disregard of the Treaty of London exhibited by the German Powers.

The Swedish Government felt the inability of Sweden to assume the position of one of the Great Powers; but, if I rightly understood the despatch, Sweden declared her readiness to take her stand by the side of any of the Great Powers who should come to the assistance of Denmark. In the meantime, Sweden must preserve her liberty of action.

I told Count Wachtmeister that I agreed in many of Count Manderström's remarks; that I especially lamented the refusal to receive the Danish Special Envoy at Vienna and at Berlin, and that Great Britain likewise reserved her liberty of action.

I am, &c.

(Signed) RUSSELL.

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* A similar despatch was addressed to Mr. Jerningham.

No. 517.

Sir A. Malet to Earl Russell.—(*Received December* 26.)

My Lord, *Frankfort, December* 24, 1863.

THE Diet held a sitting yesterday for the purpose of receiving certain reports from the Civil Commissioners and Military Commanders employed in the duty of Execution in Holstein.

There was also laid before the Assembly a motion by the Bavarian Minister for accelerating the Report of the Commission on the question of Succession to the Duchies of Schleswig and Holstein.

With regard to this last question, it is stated, with much assurance, that the majority of the Committee will pronounce in favour of recognizing the right of Succession as devolving on Prince Frederick of Augustenburg, and that the Diet will adopt this conclusion by a majority of twelve votes; that is to say, since the Holstein vote is lost by the exclusion of the Representative of that Duchy, the minority will consist of five votes.

I have, &c.
(Signed) A. MALET.

No. 518.

Sir A. Malet to Earl Russell.—(*Received December* 26.)

My Lord, *Frankfort, December* 24, 1863.

THE Central Committee, on the appointment of which by the delegates who assembled at Frankfort on the 21st instant I had the honour of reporting to your Lordship in my despatch of the 22nd instant, has published an address making known that it is instituted for taking in hand all affairs connected with the actual German movement in favour of Schleswig-Holstein, and inviting all local Committees to correspond with and receive instructions from their body.

The framers of this address have not been able to refrain from casting imputations on the good faith of the Governments which have taken this matter in hand, and upon the Diet, or from putting forward their own superior claims to a patriotic and intelligent direction of all that is connected with the question.

They also distinctly proclaim their intention to do all in their power to establish the rights of Prince Frederick of Augustenburg over the United Duchies of Schleswig and Holstein, and assume that these rights admit of no question.

With reference to this point I trust your Lordship will approve the language I have invariably held, that whether as Pretender or as recognised by the Diet, the presence of Prince Frederick in Holstein ought not to be tolerated; that it would justify Danish resistance, and be in fact the *casus belli* which a certain party in Germany are seeking to create. I have added in reference to the duties which Austria and Prussia have to discharge in this matter, that it cannot be admitted that their Federal obligations shall overrule those which are incumbent on them as European Powers, and that their troops now employed for Execution in Holstein, have to see that the sole authority which they enter the Duchy to uphold, is maintained while their presence is continued.

Your Lordship will no doubt have been informed that the Duke of Coburg has not only intimated his readiness to take part in the activity of the Committee here, and to permit his Cabinet to be the intermediary between this Body and the agents of Prince Frederick of Augustenburg, but that his Highness has given a formal sanction to the organisation of troops for Prince Frederick as Duke of Holstein, within the territory of Coburg.

I have, &c.
(Signed) A. MALET.

No. 519.

Earl Russell to Sir A. Malet.

Sir, *Foreign Office, December* 26, 1863.

I HAVE to instruct you to communicate to the President of the Diet, in an official note, a copy of the Treaty of London of May 8, 1852.

You will call the attention of the President to the fact that Great Britain, France, Russia, and Sweden, agreed by this Treaty to recognize Prince Christian of Holstein-Glücksburg, now King Christian IX, as Successor to all the dominions held by the late King of Denmark, and that in pursuance of this agreement those Powers have so recognized King Christian.

You will point out to the President the serious complications which might ensue if, in such a state of things, the Diet of the Confederation should have recourse to any hasty measures inconsistent with the arrangements provided for by the Treaty of London.

Her Majesty's Government, you will say, are however not unwilling to discuss the question pending between Germany and Denmark in a conference composed of the Ministers of all the Powers parties to the Treaty of London and of a Representative to be named by the Diet, and they would consent that such Conference should be held at any place which the several Powers might consider most suitable for the purpose.

I am, &c.

(Signed) RUSSELL.

No. 520.

Sir H. Howard to Earl Russell.—(*Received December* 26.)

(Extract.) *Hanover, December* 24, 1863.

IN my despatch of the 22nd instant I stated that Count Platen had told me that intelligence had reached him of the issue by King Christian IX, of a Proclamation declaring his intention to uphold the common Constitution for Denmark and Schleswig of the 18th of November last.

In a conversation which I had with his Excellency to-day, I observed to him that as I had not seen in the newspapers any such Proclamation, I concluded that I had mistaken his meaning, and that he had referred to the message of His Danish Majesty on closing, on the 21st instant, the Session of the Reichsrath, and I pointed out that this document, although it contained an apology of the Constitution on the 18th of November, and treated it as an accomplished fact, did not, nevertheless, record any new declaration of His Majesty's intention irrevocably to adhere to it, and consequently had not the gravity which would have attached to a special Proclamation.

His Excellency replied that it was to the Message he had referred, and that in a letter which he had received from Copenhagen it had been represented as declaring the above-named intention on the part of His Danish Majesty. I found his Excellency much alarmed at the turn which events are taking in Germany, and at the increased prospect which he considers there is either of her involving herself in a foreign war, or of her being convulsed by internal revolution, or perhaps even of both these contingencies being realized. He referred to the establishment, by the self-constituted Parliament which met at Frankfort on the 21st instant, of a permanent Committee to take the Schleswig-Holstein affair in hand, and press upon the Governments; as also to the permission given by the Government of Saxe-Coburg-Gotha for the formation of a Schleswig-Holstein army,—as proceedings of a revolutionary character. The incident, however, which his Excellency appeared to view in the most serious light was the proposal of the Bavarian Government, received in yesterday's sitting of the Diet, to call upon the competent Committee to make its report upon the Succession question within eight days. His Excellency, I regret to say, foresees that a majority of the Diet is likely to pronounce itself in favour of the pretensions of the Prince of Augustenburg, and he is naturally apprehensive of the consequences. He tells me that the pressure put upon the Hanoverian Government by petitions from all parts of the country and from all political parties, in order to induce them to abandon the attitude they have hitherto assumed, and to declare for the Prince, is daily becoming more intense, and adding to the difficulties of their position. From his language I infer that he even foresees the moment when his own policy in this matter may be overruled. In the meantime he looks with anxiety to see what course may be adopted by Austria and Prussia on the Succession question at the Diet.

No. 521.

Earl Russell to Lord Wodehouse.

(Extract.) *Foreign Office, December* 26, 1863.

I HAVE received your telegrams giving an account of the Ministerial crisis at Copenhagen.

If the state of things should lead to the formation of a new Ministry, it would seem but reasonable that sufficient time should be allowed to them to mature their plans, and that they should not be pressed to adopt any course of action without mature deliberation.

It is desirable that you should as far as possible act in concert with the French, Russian, and Swedish Ministers.

I informed you two days ago that Her Majesty's Government were ready to support any proposition which might be made by the King of Denmark, having for its object to refer the differences between Denmark and Germany to a Conference of Ministers of all the Powers parties to the Treaty of London; with the addition of a Representative of the German Diet; it being understood that during the deliberations of such Conference no change should be made in the present state of affairs, and I added that Her Majesty's Government would offer no objection to such Conference being held at Paris, notwithstanding that previous Conferences on those affairs have hitherto been held in London.

No. 522.

Lord Napier to Earl Russell.—(*Received December* 28.)

(Extract.) *St. Petersburgh, November* 22, 1863.

IN conformity with your Lordship's authorization I have communicated to Prince Gortchakoff the instructions addressed by Her Majesty's Government to Lord Wodehouse in regard to his mission to the Court of Denmark. The Vice-Chancellor read these despatches with great interest, and expressed his assent to the views conveyed by Her Majesty's Government, observing that they only differed from his own in so far as they were embodied in greater detail.

No. 523.

Lord Napier to Earl Russell—(*Received December* 28.)

My Lord, *St. Petersburgh, December* 22, 1863.

I HAVE communicated to Prince Gortchakoff this forenoon the substance of your Lordship's telegram of yesterday's date, to the effect that Her Majesty's Government would not decline a Conference at Paris of the Representatives of the Powers who signed the Treaty of 1852, with the addition of a Representative of the Germanic Confederation; the said Conference to be strictly limited to the question of the Danish Duchies.

The Vice-Chancellor made a note of your Lordship's communication for the Emperor in my presence, and seemed to be much gratified by the resolution adopted by Her Majesty's Government.

Your Lordship states in the same despatch that it is understood Prussia will not take part in any Conference from which England is excluded.

In regard to this passage the Vice-Chancellor remarked that he hoped I had informed Her Majesty's Government that he had come to the same conclusion. I replied to the Vice-Chancellor that I had stated to your Lordship generally that the Russian Government regarded the project of a Congress from which England should be excluded as impracticable, and that his Excellency had expressed that opinion to me, to Baron Brunnow, and to others, but that I had not reported that he had made such a communication at Paris officially.

The Vice-Chancellor answered that he had hitherto said nothing officially on the subject at all at Paris. Such was, however, his decision.

I have, &c.
(Signed) NAPIER.

No. 524.

Mr. Ward to Earl Russell.—(*Received December* 28.)

My Lord, *Hamburgh, December* 24, 1863.

THE Commissioners of the Federal Diet for the Execution into Holstein and Lauenburg, viz., M. de Könneritz from Saxony, and M. Nieper from Hanover, have arrived

here and have assumed the administration of the Duchies in the name of the Diet. This they yesterday notified to the inhabitants by a Proclamation dated Büchen (in Lauenburg), December 23rd, requiring obedience from them, and promising them protection and the maintenance of the existing laws of the Duchies.

A Hanoverian brigade (5,945 strong), composed of a regiment of Dragoons and six battalions of Infantry, with Staff, Artillery, and Train, entered Hamburgh yesterday, and is now on its march for Holstein, in the direction of Oldesloe. The Saxon General De Hake, Commander-in-chief of the Saxon and Hanoverian troops employed in the Execution, also arrived here last night, with a battalion of Infantry, and this morning crossed the frontier and occupied Altona, the Danish garrison having retired, as previously arranged.

The first act of the Federal Commissioners was to dismiss the Danish Upper-President, M. de Scheele, and the Danish Police-Director, M. Willemoes-Seehm. The Burgomaster of Altona, M. de Thaden, has been appointed President, and certain officials, who had been suspended, have been restored to their places.

No sooner had the Danish troops evacuated Altona than the streets were placarded with a Proclamation of the Prince of Augustenburg, under the title of Frederick Duke of Schleswig-Holstein; and other placards also appeared, summoning a public meeting at noon in the open space in front of the railway-station. A monster-meeting took place accordingly, which was attended by at least 10,000 persons, including several of the Magistrates, and Municipal and Government officers. The President, Dr. Callisen, after an exciting speech, proposed the recognition of Frederick VIII as rightful Duke of Schleswig-Holstein by acclamation, which the meeting assented to amidst vociferous cheering. Flags have waved on most of the houses during the day, and preparations are being made for an illumination of the town at night. In the small Holstein town of Wandsbeck, Duke Frederick VIII has likewise been proclaimed in the presence of the authorities after the retirement of the Danish troops.

The Members of the Assembly of the States of Holstein, and the Deputies chosen to replace them in case of need, met again on the 22nd instant at Streit's Hotel, in this city, and resolved upon an address to the Federal Diet, praying that Body not to delay its recognition of the Prince of Augustenburg as Duke of Schleswig-Holstein, and to support that Prince in his assumption of the Government of the Duchies. The resolution was passed by a majority of 61 votes against 5, the number of members present being 66. There can be very little doubt that the tenor of this address will be heartily concurred in by the great majority of the Ritterschaft, or large landed proprietors in Holstein, as well as Schleswig; and, indeed, the popular voice in the Duchies seems to declare itself every day more strongly in favour of the Augustenburg Succession.

I have, &c.
(Signed) J. WARD.

No. 525.

Lord Wodehouse to Earl Russell.—(*Received December* 28.)

My Lord, *Copenhagen, December* 24, 1863.

I HAD an opportunity of speaking to M. Hall on the 22nd instant, and again yesterday. On both occasions his Excellency conversed with me at much length on the present state of affairs in this country.

I expressed to him my surprise and regret that the Rigsraad had been closed at the moment when, above all others, it was essential that it should remain in Session. I warned him in the most serious manner of the impression which must be produced throughout Europe, and especially in Germany, by an act which could only be construed, when coupled with the terms of the Royal Message, as a complete refusal to listen to our advice.

M. Hall replied that it was useless to keep the Rigsraad sitting, as there was not the slightest chance that they would consent to revoke the Constitution.

I said that I could not pretend to know what course the Rigsraad might have followed, but, at all events, it seemed to me that the Ministry ought to have acquainted the Rigsraad with the advice which had been tendered to Denmark by her three most important allies, and that they should, at least, have had the opportunity of considering whether the safety of the Monarchy did not require that that advice should be adopted.

M. Hall maintained that the members of the Rigsraad were well aware of the critical state of affairs, and that there was, in fact, no need to lay any further information before them.

It is evident, however, that as the communications of M. d'Ewers and myself, and of General Fleury to M. Hall, were made on Sunday, and the Rigsraad was closed on Monday, that Assembly could not have been made acquainted with what had passed on that occasion. I need not weary your Lordship by repeating the arguments which I urged again and again upon M. Hall. Although he heard me with the greatest patience, his determination was not to be shaken. He constantly observed that we offered him no equivalent for the concession which we advised, not even the certainty that the whole question would be referred to a Congress.

I said I admitted that it was natural that the Danish Government should be anxious for an assurance that the German Powers would consent to a Conference.

Would he engage that steps should be taken to revoke the Constitution as regards Schleswig if the German Powers would agree to refer the Schleswig dispute to a Conference of the States who signed the Treaty of 1852 ?

I had no authority, I said, to make such a suggestion, far less could I undertake to say that such a proposition would be accepted by Austria and Prussia, or that it would be possible to assemble a Conference, but, at all events, such an overture might give some opening for negotiation and avert the immediate risk of a collision between Germany and Denmark.

This suggestion led to no result, as M. Hall declared that he was unable to give any promise as to the Constitution.

I have, &c.
(Signed) WODEHOUSE.

No. 526.

Lord Wodehouse to Earl Russell.—(Received December 28.)

(Extract.) *Copenhagen, December 25, 1863.*

IT appeared to me that although I was not instructed to read to M. Hall your Lordship's despatch of the 17th instant, it was very desirable that his Excellency should be made acquainted with its contents. I had arranged with M. Hall to have an interview for the purpose with him yesterday at the Ministry for Foreign Affairs, but as he was prevented by a Council from receiving me, he was good enough to call upon me at my hotel.

His Excellency on entering acquainted me that he was no longer Minister. The King, he said, desired to re-convoke the Rigsraad, and as it was impossible for the existing Ministry to advise that measure, they had resigned. He was conscious, he said, that if there were to be any negotiations with Germany, it would be much better that he should be out of office, as the German Powers were, he knew, persuaded that it was useless to negotiate with any Ministry of which he was the head.

He went on to observe, that he feared that the attempt to bring together the Rigsraad, and to revoke the Constitution, would be attended with fatal consequences. It was not impossible that if a Minister could be found to propose the revocation, a bare majority in favour of it might be obtained, but the Constitution required that for any change in the Fundamental Law three-fourths of the members should be present, and two-thirds should vote for the change.

He thought, moreover, that it was likely that it would be found impossible on such short notice to get together three-fourths of the members.

M. Hall then spoke of various expedients that might be resorted to, begging me, as he was no longer Minister, to regard them only as his personal suggestions. Amongst other expedients he said it occurred to him that as the German Powers objected to the law coming into force on the 1st of January, 1864, it might be sufficient to pass an amendment of the Constitution, to the effect that it should not come into force till January 1, 1865, which would give a year for negotiation.

I said that we advised the complete revocation, but that his idea did not seem to me altogether a bad one.

I did not wish to reject altogether the only idea of conciliation which he had ever thrown out, but in order to prevent any possible misunderstanding, I addressed a letter afterwards to his Excellency, of which I inclose a copy herewith.

I read to M. Hall your Lordship's despatch, upon which his Excellency made a few observations, but I need not repeat his arguments, with which your Lordship is already familiar.

Inclosure in No. 526.

Lord Wodehouse to M. Hall.

My dear M. Hall, *Copenhagen, December* 24, 1863.

ON thinking over what passed between us this afternoon, it strikes me that you might possibly have misunderstood what I said as to your idea that the Constitution might be amended by substituting the date of (say) January 1, 1865, for January 8, 1864.

What my Government advises is, as you know, the repeal of the Constitution as regards Schleswig, and I should not wish you to suppose that I expressed an opinion in favour of any other measure.

I have, &c.
(Signed) WODEHOUSE.

No. 527.

Sir A. Paget to Earl Russell.—(Received December 28.)

My Lord, *Copenhagen, December* 24, 1863

COUNT HAMILTON called on me a few days ago to say that he had informed M. Hall that his Government did not intend to put any pressure on the Danish Government with regard to the abrogation of the Constitution, that they did not consider themselves competent judges of what the Danish Government was able or unable to do in this matter. He said, however, that he had at the same time stated to M. Hall that if the Danish Government were of opinion they could comply with the counsels of the great Powers, the Swedish Government would learn with pleasure that they had taken a step which was considered essential to the preservation of peace.

I lost no time in communicating this information to Lord Wodehouse.

I have, &c.
(Signed) A. PAGET.

No. 528.

Lord Bloomfield to Earl Russell.—(Received December 28.)

(Extract.) *Vienna, December* 24, 1863.

IN my telegram of the 21st instant I reported that I had read to Count Rechberg your Lordship's despatch of the 17th instant, and you will have learnt from it how great are the embarrassments of the Austrian Government at this moment, and what difficulties they have to contend with in maintaining their opinion as to the Treaty of the 8th of May, 1852.

The pressure that is exercised in Austria at this moment by public opinion, Count Rechberg thinks, is not fully understood in England. His Excellency says, that with the full aid of Prussia, a majority is not obtainable at the Diet; that the two Great Powers are not in fault, for their efforts to abide by this Treaty have been unceasing, and their conduct has exposed them to the greatest unpopularity. Count Rechberg repels the idea that the proceedings of the Imperial Government have laid it open to any accusation of bad faith; and he considers that the remarks which I had read in your Lordship's despatch should rather have been made to those small German Courts who acceded to the Treaty and are now foremost in repudiating it.

In the course of our conversation his Excellency remarked that his attention had been lately drawn to the fact of the ratification of the Treaty of the 8th of May having been exchanged by the Powers who signed it, with Denmark alone, and that it had been contended that it was not equally binding on all. He did not lay much stress on this circumstance, but it was evident from the allusion to it that efforts have been made to shake his faith in the validity of this European Act.

He made no attempt to explain why the usual form of an exchange of ratifications was not followed, or to account for this omission by the ill-will of any of the Powers to do so, and I maintained that as the Treaty was binding on Denmark and the Powers who signed it, so it was between each of the Powers themselves.

No. 529.

Lord Bloomfield to Earl Russell.—(*Received December* 28.)

My Lord, *Vienna, December* 24, 1863.

I HAVE read to Count Rechberg your Lordship's despatch of the 7th instant, which reached me by the last messenger. His Excellency admitted that latterly the Danish Government have certainly shown a disposition to make concessions, and he sincerely hopes they will not stop short of doing what Germany requires in fulfilment of the engagements of 1851 and 1852. With reference to the expectation of Her Majesty's Government that the troops of Austria and Prussia occupying Holstein will resist any attempt to produce a revolution in that Duchy, he said that one of the important objects of Austria was to prevent revolution, and that her troops would certainly not be employed in spreading principles subversive of good order.

Count Rechberg spoke with satisfaction of the last paragraph of your Lordship's despatch, in which you say that Her Majesty's Government are prepared to advise the King of Denmark to fulfil the engagements which the Danish Government have contracted with Austria, Prussia, and Germany in regard to Schleswig, and that if His Majesty should decline to listen to such advice, Her Majesty's Government would consider the responsibility of the refusal to rest with the Danish Government, and he seemed fully to appreciate the importance of the advice to be given to the Cabinet of Copenhagen.

I have, &c.
(Signed) BLOOMFIELD.

No. 530.

Lord Bloomfield to Earl Russell.—(*Received December* 28.)

(Extract.) *Vienna, December* 24, 1863.

I HAVE the honour to inform your Lordship that the project suggested from Berlin a few days ago, that Denmark should be called on to revoke or suspend the Constitution of the 18th of November as far as Schleswig is concerned, and that in default thereof Prussia and Austria would consider themselves absolved from the Treaty of London, appears to have crossed on the road a project of Count Rechberg to the effect that the Diet of Frankfort should address the Danish Government and not Austria and Prussia, and I hear that this idea has been favourably received at Berlin.

The unfortunate state of the diplomatic relations of Austria and Prussia with Denmark at this moment increases the difficulty of all communication, and yet it is not easy to understand, when they are in a minority in the Diet of Frankfort, that they should seek that channel for making their demands. Both Governments, I may observe, feel intense alarm at the progress which the spirit of democratic revolution is making, and the union of the small German Courts for the purpose of working out the Succession in Holstein in opposition to the known feelings of the two Great Powers is producing serious confusion, and has a most unfortunate influence on the action of the Austrian Government.

By removing the present active discussion from Frankfort, Count Rechberg is hopeful that means will be found of discussing the question with some degree of calmness, a result which he despairs of so long as it is kept on its present ground.

He has heard with the greatest satisfaction that your Lordship had no objection to Conferences on the Schleswig-Holstein affair being held at Paris, and if this were settled he would desire them to be opened as soon as it were possible, in order that the question of the Duchies might at once assume an European character, for it was impossible any longer to confine it within German limits.

No. 531.

Lord Bloomfield to Earl Russell.—(*Received December* 28.)

(Extract.) *Vienna, December* 24, 1863.

COUNT RECHBERG has been desirous to prevent the interruption of unofficial diplomatic relations with Denmark, but he informed me yesterday that he fears this is

becoming almost inevitable, from an occurrence which has been reported to him. It appears that Baron Brenner and M. de Balan were told by M. Hall, on delivering the communication, that their official relations had ceased, but that he should nevertheless send them an invitation to the funeral of the late King. This invitation not being addressed to the Envoys officially, and not according to them their usual places with the Diplomatic Body, they declined attending the ceremony, and Count Rechberg says that he especially regrets that on such a solemn occasion they should have absented themselves. He regrets it the more as after an occurrence of this nature the difficulty of communication will be increased tenfold.

Count Rechberg said further, that he could not but apprehend that M. Hall was himself more inclined for a rupture of even unofficial relations with Austria and Prussia than for a continuance of them, and he feared that so long as he was at the head of the Danish Government the chances of an arrangement as to Schleswig would be next to impossible. M. Hall had always been consistently opposed to make the concessions which Germany had a right to expect from Denmark under her engagements of 1851 and 1852, and he hardly expected that even under the pressure of an Execution he would be deterred from pursuing his policy, the tendency of which he could consider to be no other than the incorporation of Schleswig into the Kingdom of Denmark.

No. 532.

Lord Bloomfield to Earl Russell.—(*Received December* 28.)

(Extract.) *Vienna, December* 24, 1863.

I HAVE read to Count Rechberg your Lordship's despatch of the 12th instant, in which your Lordship gives an account of a conversation which you had held with the Danish Minister respecting the Treaty of London, and the attitude to be assumed by his Government under certain eventualities connected with the Federal Execution.

No. 533.

Lord Bloomfield to Earl Russell.—(*Received December* 28.)

My Lord, *Vienna, December* 24, 1863.

I HAVE taken an opportunity of reading to Count Rechberg your Lordship's despatch of the 9th instant, on the subject of a communication by Count Apponyi of a despatch from Vienna of the 5th instant, respecting proposed steps to be taken at Copenhagen.

His Excellency has learnt with satisfaction that your Lordship approved of his proposal on this subject.

I have, &c.
(Signed) BLOOMFIELD.

No. 534.

Lord Bloomfield to Earl Russell.—(*Received December* 28.)

My Lord, *Vienna, December* 24, 1863.

SIR AUGUSTUS PAGET having informed me on the 19th instant by telegraph that the Danish Government had decided to withdraw their troops from Holstein, and that orders had been given to the Danish General to concert with the Generals of the Federal troops as to the mode of evacuation, I lost no time in communicating this intelligence to Count Rechberg.

His Excellency learnt it with much satisfaction, and I understand that as there is no longer any expectation of resistance being offered, at all events in the first instance, to the advance of the Federal troops, there will be some little delay in the departure of a portion of the Austrian Contingent.

I have, &c.
(Signed) BLOOMFIELD.

No. 535.

Sir H. Howard to Earl Russell.—(Received December 28.)

(Extract.) *Hanover, December 25, 1863.*

I GAVE to Count Platen on the 23rd instant a copy of your despatch to me of the 17th, on the subject of the Treaty of London of May 1852, regulating the Succession for the whole of the Danish Monarchy.

I have requested his Excellency to communicate this despatch to his colleagues in the Ministry, and to call their attention to the concluding paragraph, in which your Lordship says, "Let it suffice at present for Her Majesty's Government to declare that they would consider any departure from the Treaty of Succession of 1852, by Powers who signed or who acceded to that Treaty, as entirely inconsistent with good faith."

I have made this latter request because I have reason to know that several of Count Platen's colleagues have disapproved of his having at once declared the intention of the Hanoverian Government to fulfil the obligations they contracted by their accession to the Treaty, and are in favour of Hanover availing herself of the first opportunity of withdrawing from it.

Such an opportunity they would no doubt consider to be afforded were Austria and Prussia to abandon the Treaty, or were the Diet to declare in favour of the pretensions of the Prince of Augustenburg,

I am sorry to see that Count Platen appears by no means confident of being able to carry his own views in the Cabinet.

I have not failed to remind his Excellency of the assurances which he has repeatedly given me that the Hanoverian Government would fulfil their engagements under the Treaty of 1852, by voting against the claims of the Prince of Augustenburg at the Diet.

No. 536.

Sir H. Howard to Earl Russell.—(Received December 28.)

(Extract.) *Hanover, December 25, 1863.*

I HAVE the honour to inclose a translation of a despatch of the 11th instant, published in the "Oldenburg Gazette," from M. de Rössing, the Minister for Foreign Affairs of the Grand Duke, to Dr. Geffken, his Royal Highness' Minister at Berlin, in answer to the note addressed to his Excellency on the 4th instant by Prince Ysenburg, the Prussian Envoy to the Grand Ducal Court, urging the Government of Oldenburg to vote at the Diet for the proposal of Prussia and Austria for a Federal Execution in Holstein, instead of an occupation.

The terms of this despatch are, I am informed, similar to those used in the note of M. de Rössing to the Austrian Minister at this Court to which I referred in my despatch of the 17th instant.

I had been under the impression that the Grand Duke of Oldenburg, in opposing the right of King Christian to the succession in the Duchies of Schleswig and Holstein, and in advocating extreme measures against Denmark, had sought to favour the pretensions of the Prince of Augustenburg; but from the circumstance of his Royal Highness not having yet recognized the Prince, nor in his answer to the address of the Oldenburg Legislature taken any notice of their request that he should do so, it would almost appear as if he held some claims of his own in reserve.

Inclosure in No. 536.

M. de Rössing to Dr. Geffken.

(Translation.) *Oldenburgh, December 11, 1863.*

INCLOSED herewith you will find the copy of a note dated the 4th instant, his Serene Highness Prince Gustave of Ysenburg-Budingen, Prussian E Extraordinary and Minister Plenipotentiary at Hanover, regarding the Schleswig-Holstein-Lauenburg question, which, although the subject to which, strictly speaking, it relates has already been settled, seems nevertheless to require an answer.

As shown by the voting in the Diet on the 7th instant, the Government of the Grand

Duke sided with those who were opposed to any Execution, but advocated an occupation of the Duchies.

The views by which his Royal Highness the Grand Duke has been guided in this matter are sufficiently notorious; they have been expressed not merely of late, but years ago, and no opportunity has been omitted of establishing their accuracy. The note in question could hardly therefore have been prompted by a hope of changing the opinions of the Grand Ducal Government.

It was safely to be assumed that the Grand Ducal Government had neither disregarded the political condition of affairs in general nor the dangers of a general war, and there was consequently no ground for supposing that suggestions of that nature would induce it to alter its line of conduct.

The object was clearly, therefore, to act upon the Grand Ducal Government, so as to induce it to yield its own better conviction to the authority of the two great Powers, or else to intimidate it by certain eventualities which are to be read between the lines, and which it is better, moreover, should not be distinctly expressed.

The Grand Ducal Government regrets exceedingly to have been of a different opinion from that of the Prussian Government, but it would have been untrue to itself if it had consented to waive its Constitutional right as a Member of the Confederation to exercise its vote freely in a matter of such vast importance, on the satisfactory settlement of which depend the honour and the tranquillity of Germany.

You will please to read this despatch to his Excellency M. de Bismarck, President of the Prussian Council of Ministers and Minister for Foreign Affairs, and you will leave him a copy of it.

(Signed) VON ROSSING.

No. 537.

Sir H. Howard to Earl Russell.—(*Received December* 28.)

(Extract.) *Hanover, December* 26, 1863.

YOUR Lordship will be aware that the proposal of the Bavarian Government in respect to the Succession question in the German Duchies belonging to Denmark was adopted in the sitting of the Diet of the 23rd instant, in a more modified form from that in which it had been originally clothed, namely, that the Resolution, instead of requiring the Committee to report upon the question in eight days, calls upon it to examine the subject without delay, and to make its report with all possible speed.

In conversation with Count Platen yesterday on this matter, I took an opportunity of expressing my regret to perceive that Hanover should have abandoned Austria and Prussia on this point, and voted with the majority for the Bavarian proposal.

His Excellency's explanation was to the effect that the proposal of the Austrian President of the Diet was that the Bavarian motion should be referred to the Committee for its report, but that such a proposal was not to the point, because the question of the legitimacy of the full-powers of the Danish Envoy had been already referred to the Committee for examination, and the Committee could not now be called upon to report upon the expediency of its doing that which it was already charged to do, and for this reason Hanover did not vote with Austria and Prussia.

I have already adverted to the fatal consequences for the peace of Europe which must ensue should a majority of the Diet recognize the pretensions of the Prince of Augustenburg, and Austria and Prussia submit to a resolution to that effect, or take some other pretext for withdrawing from the Treaty of London of May 1852.

I will therefore, for the present, confine myself to remarking that whilst the turn which events have taken in Germany since the death of King Frederick VII of Denmark, has completely unmasked the designs against Denmark which have been entertained by a large proportion of the German people, and I am sorry to say also by so many German Governments, and which they sought to conceal under the flimsy veil of a desire to protect the rights of German Brethren, it has likewise proved the extreme folly of the Danish Government, of which M. Hall is the head and soul, in not making the concessions which your Lordship so frequently recommended, and in refusing, when it was still time, to negotiate on the basis of the proposals which your Lordship submitted to them, and which had met with a favourable reception from the great German Powers and the Confederation.

The necessity for the Danish Government to make such concessions as will satisfy the great European Powers has now only increased, for as to satisfying by reasonable

concessions the German people, at present in a state of revolutionary effervescence, that appears to be quite out of the question; but at the same time, supposing Denmark so far to yield to the voice of reason as to merit the support of those great Powers, they must be ultimately prepared, if the maintenance of the integrity of the Danish Monarchy is really an object of paramount importance to them, to give to that support a vigorous and material character.

No. 538.

Sir A. Malet to Earl Russell.—(Received December 28.)

(Extract.) *Frankfort, December 26, 1863.*

IT will hardly be thought surprising in England that Her Majesty's Government exercise scarcely any influence in Germany as regards the dispute with Denmark, when it is evident that Austria and Prussia, though both their Cabinets are more than inclined to act with moderation, are quite unable at present to stem popular feeling.

The proceedings of the Central Committee, reported upon in my despatch of the 24th instant, are of a nature rather to prejudice than to advance the German view of the Schleswig-Holstein cause with the several Governments which have not abdicated all authority, or thrown themselves without reserve into this cause. It is whispered that it may be found necessary to suspend their sittings; but unless Austria and Prussia concur in such a measure, it is safe to pronounce that nothing will be done.

In the meantime your Lordship must be informed that there is no apparent abatement of agitation, or of determination on the part of the advanced Liberals of Germany to push this quarrel to the utmost. Daily journals and pamphlets are filled with the most inflammatory appeals, and in generally one-sided views of the legal arguments which rather mislead than enlighten the public mind. All the publicists of the universities are engaged either in proving the Augustenburg right of Succession, or in demolishing the validity of the London Treaty.

No. 539.

Sir A. Buchanan to Earl Russell.—(Received December 28.)

(Extract.) *Berlin, December 26, 1863.*

I INFORMED M. de Bismarck that it was very important that no hasty and precipitate measures should be taken by the Federal authorities in Holstein. He replied, that the course of events there was not under the control of the Prussian Government, but that he had written to Frankfort and to Vienna supporting a request of the Saxon General commanding the Execution troops that the reserves should be placed at his disposal, as he had represented himself to be unable to control the population of the Duchy. I said I was glad to learn that some measures were about to be taken to render the conservative influence of the Federal authorities more decided, but when military officers allowed their regimental bands to play the revolutionary airs of the excited people among whom it was their duty to prevent insurrectionary demonstrations, their wish to oppose any movements in favour of the Prince of Augustenburg could not be very decided.

It was desirable, I said, that the march of the Federal troops towards the North should not be rapid, so as to give time for a change of system at Copenhagen before a question could be raised between the Danish and Federal armies as to the possession of the *têtes de pont* at Rendsburg and Frederickstadt. M. de Bismarck answered that the Federal troops would not be carried by rail, and that the distance they would have to march would be a sufficient guarantee against any immediate collision at these places; and, besides, before an attack could be made upon either of them it would be necessary to refer to Frankfort for orders and perhaps to procure breaching guns. I said in a case of this kind one ought not to trust to fortuitous guarantees against a great possible evil, and that the absence of breaching guns and the certainty of his attack proving fruitless might not deter an officer seeking a cause of war under the excitement of political passion from finding it at Frederickstadt or Rendsburg. It appeared to me, therefore, that the question ought to receive his Excellency's serious attention. He then spoke of the late demonstrations at Hamburgh in favour of the pretensions of the Duke of Augustenburg by persons calling themselves members of the Holstein States; and although he believed

there were many persons present at the meeting in question who were not members of the States, he said the resolutions adopted showed that the States would probably, if convoked, declare themselves in favour of the Prince of Augustenburg. He thought, nevertheless, that it would be advisable to convoke the States and to govern the country in concert with them; observing, that if they on their own initiative passed resolutions in favour of the pretensions of the Prince of Augustenburg the Federal Commissaries could only refer their resolutions to the Diet of Frankfort, and that for the present, at all events, such resolutions would be without importance. It is doubtless hoped, however, that the will of the people may be then considered to have been expressed through the States in favour of a change of dynasty. From what I could hear, demonstrations for the same object will be easily got up in the towns of Holstein under the influence of a majority of the legal and bureaucratic classes, but I am assured by a person here who is well acquainted with the Duchy, that the rural population is not likely to take any part in a movement of the kind; and another who is perhaps the best informed member of the Diplomatic Body at Berlin on this subject, and certainly the most free from passion in his views upon it, is convinced that Schleswig-Holsteinism is the moving principle of the whole policy of the people of Holstein, and that, no arrangement will ever be received by them as final which does not restore some degree of union between Holstein and the southern part of Schleswig, and that, on the other hand, if Germany cannot separate Schleswig from Denmark, the attachment of the Holsteiners to their union with Schleswig will prove far stronger than any dynastic feelings for the Prince of Augustenburg, who is now popular merely because his cause is supposed to be identic with the union of the Duchies. The administrative union of the southern part of Schleswig with Holstein, therefore, if the former is not included in the German Confederation, so that Kiel would still remain for the purposes of war a Danish port, the western side of the entrance being within the territory of Schleswig, would seem to be a combination to which Denmark ought not reasonably to object.

No. 540.

Sir A. Buchanan to Earl Russell.—(*Received December* .)

(Extract.) *Berlin, December* 27, 1864.

I HAVE sent a telegraphic message to Lord Wodehouse, informing him of my conviction that unless the new Constitution is revoked before the 1st of January, an endeavour will be made by the German Powers forcibly to occupy Schleswig before the proposed Conference on the Danish question can be assembled.

I have also informed him of my apprehension that no allowance will be made for any Constitutional reasons which may be advanced by Denmark for delay in revoking the Constitution.

No. 541.

Earl Russell to Sir A. Paget.

Sir, *Foreign Office, December* 28, 1863.

I RECEIVED on the 26th instant, and I have laid before the Queen, your despatches to the 22nd instant, and I have the satisfaction to acquaint you that your conduct, as described in those despatches, with reference to the differences between Denmark and Germany, is entirely approved.

I am, &c.

(Signed) RUSSELL.

No. 542.

*Earl Russell to Earl Cowley.**

My Lord, *Foreign Office, December* 28, 1863.

NOTHING is more embarrassing or more intricate than the Schleswig-Holstein question, if it is examined in detail. There can be no more ungrateful task than the

* Similar despatches were addressed to Lord Napier, Mr. Jerningham, Sir A. Buchanan, Lord Bloomfield, and Lord Wodehouse.

labour of reading long and obscure despatches, in which the meaning is concealed under a multitude of words.

A broader and more general view of the question would, perhaps, lead to a more just appreciation of facts, and possibly furnish a clue by which we might escape from the dark labyrinth into open daylight.

When the Kingdom of Denmark was an absolute Monarchy, the King, if despotic, was yet impartial. If he found an able German Statesman in Holstein, he made him his Minister; if Danes and Germans squabbled in Schleswig, he displayed no preference for one side rather than for the other.

But these relations were entirely altered when free institutions were granted, and the Danish nationality prevailing at Copenhagen was infused strongly and exclusively into the whole administration of the Monarchy.

From that time there have been nothing but disputes, complaints, interference in the domestic government of Denmark, protocols, engagements interpreted by each party according to its own view, and sometimes conflicts in arms.

Yet there are two principles which, if kept steadily in view, might clear the dispute and prevent a war.

The one is that laid down by the Parties to the Treaty of London: "That the maintenance of the integrity of the Danish Monarchy, as connected with the general interests of the balance of power, is of high importance to the preservation of peace."

The other principle is a corollary from the experience of the last fifteen years. It is: "That the German inhabitants of the states and dominions placed under the sceptre of the King of Denmark should have ample security for just and impartial government, both in the institutions established and in the men entrusted by the King with the administration of these institutions." These seem to have been the objects of the negotiations between Germany and Denmark of 1851-52.

Those objects have, unfortunately, not yet been attained, but if those principles were admitted on all sides, some advance would be made towards a peaceful and final settlement.

Your Excellency is instructed to read and give a copy of this despatch to M. Drouyn de Lhuys.

I am, &c.
(Signed) RUSSELL.

No. 543.

Earl Russell to Lord Wodehouse.

(Extract.) *Foreign Office, December* 28, 1863.

I RECEIVED on the 26th instant, and I have laid before the Queen, your Lordship's despatches to the 22nd instant, and I have the satisfaction to acquaint you that your conduct, as reported in those despatches, is entirely approved.

No. 544.

Mr. Ward to Earl Russell.—(Received December 29.)

My Lord, *Hamburgh, December* 27, 1863.

THE Federal Commissioners of Execution have established their office in Altona, and have published a Proclamation, under date of the 24th instant, calling upon the authorities to refer to them in all matters hitherto belonging to the Danish Ministry for Holstein and Lauenburg, and requiring the police-officers to report regularly to them. The Commissioners have also published another Proclamation of the same date suspending prayers in the Church-services for King Christian IX, and directing the prayers to be offered up simply "for the Government, its councillors and servants."

The Danish Government having removed its customs-officers to the Eider, and fixed its customs-line on the Schleswig frontier, the importation of goods to and from Holstein is for the moment free of duties, but it is supposed the Federal Commissioners will soon put an end to this anomalous state of things.

At Glückstadt, Pinneberg, Uetersen, and Marne, in Holstein, the Duke Frederick VIII has been publicly proclaimed in the presence of the magistrates and amidst popular acclamations. The proclamation at Kiel is to take place so soon as all Danish troops are

withdrawn from the neighbourhood. 'A monster meeting has been called for to-day (Sunday) at Elmshorn, when the Duke is likewise to be proclaimed. Yesterday the Schleswig-Holstein League had a meeting at the Walhalla, near Hamburgh, of several thousand persons, at which exciting speeches were delivered and an Address to the Senate resolved on not to delay its recognition of Duke Frederick VIII. Another public meeting on the same subject, summoned here to-day, is now going on.

With reference to the Address of the members of the States of Holstein to the Federal Diet mentioned in my despatch of the 24th instant, I have since learned that the Address was actually signed by fifty only of the majority of sixty-one, the others fearing to commit themselves prematurely; but the fact remains that the Address was voted and signed by the great majority of the members of the States.

The Federal Commissioners do not consider it to be any part of their duty to put down public meetings in the Duchies of a peaceable character, nor to prevent the popular demonstrations in favour of the Augustenburg Succession which are everywhere going on. The reason is obvious, that the Federal Diet has not recognized King Christian IX, but has reserved its judgment in the question of the Succession. In the meanwhile the people of Holstein are giving free vent to their own feelings and wishes, and if the decision depended upon them the choice of Frederick VIII as their Duke might already be considered an accomplished fact. The people of the Duchies know, moreover, that they are backed by the sympathies of the whole German nation in the course which they now so enthusiastically pursuing.

The Prince of Augustenburg has, of course, his agents here, but I have not yet been able to learn anything certain with respect to the time of his appearance in Holstein.

I have, &c.
(Signed) J. WARD.

No. 545.

M. Hall to M. de Bille.—(Communicated to Earl Russell by M. de Bille, December 29.)

Monsieur, *Copenhague, le* 24 *Décembre*, 1863.

EN vous adressant la note que je joins ici en copie, je n'ai que quelques mots à ajouter pour en expliquer le sens.

Le véritable caractère de la soi-disant Exécution Fédérale n'est plus un mystère pour personne. Chacun sait aujourd'hui qu'il ne s'agit réellement pour l'Allemagne d'assurer au Holstein des libertés constitutionnelles et des garanties pour ses intérêts—mots d'ordre dont on se servait autrefois avec tant d'effet; car on se rappelle que dans la séance du 29 Octobre, le Gouvernement du Roi s'est déclaré prêt à satisfaire à toute demande que la Diète lui adresserait à ce sujet. Il ne s'agit même plus du règlement de la position du Holstein dans la Monarchie, car cette question internationale, le Gouvernement Danois s'est déclaré prêt à la soumettre à la décision de l'Europe, et l'on sait que l'Empereur Napoléon l'avait réservée pour le Congrès auquel il a invité les Souverains de l'Europe, tandis que de leur côté l'Angleterre a offert sa médiation et la Russie a pris l'initiative pour ouvrir immédiatement des pourparlers ici, en vue de préparer une solution.

Il ne s'agit plus de tout cela. Il s'agit tout simplement d'une invasion dans la Monarchie Danoise. L'invasion n'est pas un moyen; mais le but même; elle se fait pour donner satisfaction à l'esprit révolutionnaire qui éclate aujourd'hui en Allemagne avec toute la même fureur qui a caractérisé les mouvements de l'année de 1848. Les conséquences prochaines de cette fatale complicité des Gouvernements ne sont que trop évidentes. L'esprit qui agite l'Allemagne ne se contentera pas de l'invasion des Provinces Allemandes de la Monarchie Danoise. Dans ses vagues et folles aspirations, son véritable but, si tant est qu'il ait conscience d'un but précis et réfléchi, est d'envahir et de conquérir les Provinces Danoises de la Monarchie, ou tout au moins le Duché de Slesvig. Loin de satisfaire, par l'invasion du Holstein, les esprits montés à un pareil degré de passion, les Gouvernements se trouveront irrésistiblement entrainés plus loin par le courant. Ils seront poussés à la guerre contre le Danemark, et pris entre l'esprit de subversion toujours croissant en Allemagne et l'agitation qui ne manquera pas de se produire dans le Holstein par suite de l'occupation, ils deviendront forcément les promoteurs des desseins d'un prétendant dont ils reconnaissent eux-mêmes le manque de tout droit.

Ce dont il s'agit, c'est donc, à bien y regarder, du renversement de l'arrangement dynastique consacré par le Traité de Londres et de l'anéantissement de la Monarchie Danoise comme faissant partie du système politique Européen. La question ainsi posée, chaque concession ne fait qu'ajouter au péril de la situation.

Dans notre conviction les Gouvernements Allemands se répentiront un jour d'avoir cédé à la pression d'une opinion publique égarée. Quant à nous ce n'est pas sans faire un grand effort sur nos sentiments que, au lieu de constater d'aujourd'hui, en ne reculant pas et par les armes aussi bien que par les paroles, l'infraction flagrante aux droits souverains et dynastiques du Roi Christian IX, nous avons consenti à nous retirer sans coup férir devant les troupes Fédérales, pour aller attendre de ce côté de l'Eider la marche ultérieure des événements. Si nous avons pris cette résolution, c'est uniquement pour nous rendre aux conseils et aux insistances de puissants Gouvernements amis, et pour différer aussi longtemps que possible une collision à main armée—collision qui néanmoins nous semble inévitable, tant que l'Allemagne persistera dans ses visées et ses aspirations actuelles.

Veuillez, Monsieur, communiquer cette dépêche avec son annexe au Comte Russell.

J'ai, &c.

(Sigué) C. HALL.

(Translation.)

Sir, *Copenhagen, December 24, 1863.*

IN addressing to you the note of which I inclose a copy, I have only a few words to add in order to explain its sense.

The true character of the so-called Federal Execution is no longer a mystery to any one. Every one now knows that Germany is no longer occupied in securing to Holstein its constitutional liberty and guarantees for its interests—war-cries which were formerly employed with so much effect; for it will be remembered that in the sitting of October 29, the King's Government declared itself ready to satisfy any demand which the Diet might make upon that subject. It is no longer a question of the settlement of the position of Holstein in the Monarchy, for the Danish Government declared itself ready to submit this international question to the decision of Europe, and it is well known that the Emperor Napoleon had reserved it for the Congress to which he invited the Sovereigns of Europe; whilst on their part England offered its mediation, and Russia took the initiative for immediately opening negotiations here, with a view to preparing a solution.

There is no question of all this now. It is simply a question of the invasion of the Danish Monarchy. The invasion is not a means, but the object itself; it is undertaken in order to satisfy the spirit of revolution which is now bursting forth in Germany with the same fury which characterized the movements of the year 1848. The immediate consequences of this fatal complicity of the Governments are only too evident. The spirit now agitating Germany will not be content with the invasion of the German Provinces of the Danish Monarchy. In its vague and mad aspirations, its true object, if indeed it has any precise and well-matured object, is to invade and conquer the Danish Provinces of the Monarchy, or at least the Duchy of Schleswig. Far from satisfying, by the invasion of Holstein, minds which have attained such a height of passion, the Governments will find themselves irresistibly carried on further by the current. They will be dragged into a war with Denmark, and between the spirit of subversion always on the increase in Germany, and the agitation which will not fail to ensue in Holstein as a consequence of the occupation, they will be forced to become the promoters of the designs of a pretender, whose total absence of all right they themselves recognize.

The real question then, if we look with attention, is the overturning of the dynastic arrangement consecrated by the Treaty of London, and the annihilation of the Danish Monarchy as a part of the political system of Europe. With the question thus placed before us, every concession can only add to the danger of the situation.

We are convinced that the German Governments will one day repent of having given way to the pressure of an erring public opinion. With regard to ourselves, it is not without a great struggle with our feelings that we have consented to retire before the Federal troops without striking a blow, and await on this side of the Eider the course which events may take, instead of at once affirming, without retreating, and by arms as well as words, the flagrant infraction of the sovereign and dynastic rights of King Christian IX. If we have taken this resolution, it is solely in order to comply with the advice and persistency of powerful friendly Governments, and to defer as long as possible an armed collision—a collision which nevertheless seems to us inevitable as long as Germany shall persist in her present aims and aspirations.

Be so good as to communicate this despatch, together with its inclosure, to Earl Russell.

I have, &c.

(Signed) C. HALL.

Inclosure in No. 545.

M. Hall to the Ministers of Foreign Affairs of Prussia, Austria, Saxony, and Hanover.

(Traduction.) 19 *Décembre*, 1863.

LE Soussigné, Président du Conseil et Ministre des Affaires Etrangères de Sa Majesté le Roi de Danemark, a l'honneur d'accuser la réception, à la date du 15 de ce mois, de la note par laquelle M. le Président du Conseil et Ministre des Affaires Etrangères de Prusse (*mutatis mutandis*), en lui donnant connaissance d'un Arrêté Fédéral du 7 Décembre, a sommé le Gouvernement du Roi, en raison du soi-disant procédé d'Exécution fixé par le dit Arrêté Fédéral, de faire évacuer le Holstein dans le délai de sept jours.

Ayant sans retard placé cette note sous les yeux de son très-gracieux Roi, le Soussigné a été chargé par Sa Majesté d'appeler l'attention du Gouvernement Prussien (*mutatis mutandis*) sur les remarques suivantes:—

La Résolution prise par l'Assemblée Fédérale Germanique à la date du 7 de ce mois est dépourvue de toute force obligatoire pour le Gouvernement Royal par cette raison déjà qu'elle a été adoptée après que le Plénipotentiaire de Sa Majesté avait été illégalement exclu de l'Assemblée.

Ensuite pour ce qui regarde la prétention du dit Arrêté de s'appuyer sur le précédent Arrêté Fédéral du 1 Octobre, il est impossible au Gouvernement du Roi d'envisager ce dernier comme un motif valable du procédé d'Exécution qui vient d'être résolu,—

Attendu que l'Ordonnance du 30 Mars de cette année contre laquelle le dit Arrêté s'était élévé, a été plus tard formellement retirée;

Que la médiation proposée par le Gouvernement Britannique en vue de concilier les différends pendants entre le Danemark et la Confédération a été acceptée par le Gouvernement Royal dans la séance du 29 Octobre;

Et que le Gouvernement du Roi s'est dans la même séance déclaré prêt à venir à la rencontre de la Confédération, dans tout point où l'autonomie et l'égalité des droits réclamées pour les provinces Fédérales ne seraient pas considérées comme étant déjà suffisament assurées.

Mais la singulière caractère de la prétendue Evécution Fédérale ne fait que s'accuser encore plus nettement depuis que l'Assemblée Fédérale a prétendu mettre en question le droit de Succession de Sa Majesté et la validité du Traité de Londres du 8 Mai, 1852. Car précisément en se mettant au point de vue de la Confédération Germanique, il faut reconnaître que toute exigence de sa part relativement à la position constitutionnelle à donner au Duché de Holstein par Sa Majesté en qualité de Duc de Holstein devrait être subordonnée à la reconnaissance préalable du Roi comme Duc de Holstein et de Lauenbourg.

En dernier lieu je dois faire observer, que la sommation adressée au Gouvernement du Roi n'est pas conforme aux prescriptions du réglement d'Exécution du 3 Août, 1820 (Article 10), en ce point important—qu'il n'a été laissé aucune possibilité au Gouvernement du Roi d'écarter l'Exécution en donnant suite à des exigences précises quelconques qu'on eût pris soin de formuler. Loin de là, l'Exécution elle-même apparait simplement comme l'unique objet de la Résolution Fédérale.

Dans ces circonstances Sa Majesté mon très-gracieux Roi ne peut pas reconnaître la soi-disant Exécution résolue par la Confédération pour un procédé légal fondé dans le droit Fédéral; bien au contraire elle entend réserver formellement ses très-hauts droits souverains et dynastiques. A cet effet Sa Majesté a chargé le Soussigné de protester par la présente et de la façon la plus solennelle contre l'empiètement incontestable qui lui est annonçé, et elle se réserve de prendre telles résolutions ultérieures qu'elle regarderait comme conciliables avec ses droits et ses intérêts.

Le Soussigné, &c. (Signé) C. HALL.

(Translation.)

December 19, 1863.

THE Undersigned, President of the Council and Minister for Foreign Affairs of His Majesty the King of Denmark, has the honour to acknowledge the receipt, on the 15th of this month, of a note in which the President of the Council and Minister for Foreign Affairs of Prussia (*mutatis mutandis*), while bringing to his knowledge a Federal Decree of December 7th, summoned the Government of the King, in consequence of the so-called Execution which had been determined upon by the said Federal Decree, to cause Holstein to be evacuated within seven days.

Having laid this note without delay before his gracious King, the Undersigned has

been authorized by His Majesty to call the attention of the Prussian Government (*mutatis mutandis*) to the following remarks :—

The Resolution taken by the Germanic Federal Assembly on the 7th of this month is devoid of all obligatory force for the Royal Government for this reason, firstly, that it was adopted after that the Plenipotentiary of His Majesty had been illegally excluded from the Assembly.

Again, with regard to the pretension that the said Decree is founded upon the preceding Federal Decree of October 1st, the King's Government cannot regard the latter as a legitimate motive for the Execution which has just been determined upon,—

Because the Ordinance of March 30 of this year, against which the said Decree was directed, has been afterwards formally revoked ;

Because the mediation proposed by the British Government with a view to conciliate the differences existing between Denmark and the Confederation has been accepted by the Royal Government in the sitting of October 29 ;

And because the Government of the King during the same sitting declared itself ready to meet the wishes of the Confederation on any point where the autonomy and legality of the rights claimed for the Federal provinces should not be considered as already sufficiently secured.

But the singular character of the pretended Federal Execution only shows itself the more clearly now that the Federal Assembly pretends to question the right of Succession of His Majesty and the validity of the Treaty of London of May 8, 1852. For, even if we adopt the views of the Germanic Confederation, one must allow that every demand on its part with regard to the constitutional position to be granted by His Majesty to the Duchy of Holstein, in his quality of Duke of Holstein, ought to be made subordinate to the previous recognition of the King as Duke of Holstein and Lauenburg.

In the last place, I must observe that the summons addressed to the King's Government is not in conformity with the provisions of the Decree for Execution of August 3, 1820 (Article 10), in this important point—that it leaves no chance for the Government of the King to avert the Execution by complying with any precise demands which may have been brought forward ; on the contrary, the Execution itself seems to be the simple and sole object of the Federal Resolution.

Under these circumstances, His Majesty my gracious King cannot recognize the so-called Execution which has been voted by the Confederation as a legal proceeding founded upon Federal law ; on the contrary, he must make a formal reservation of his exalted sovereign and dynastic rights. Therefore His Majesty has empowered the Undersigned to protest in the present note, and in the most solemn manner, against the incontestable encroachment which has been announced to him, and he reserves to himself the right of taking hereafter such resolutions as he may consider in accordance with his rights and interests.

The Undersigned, &c. (Signed) C. HALL.

No. 546.

*Earl Russell to Lord Bloomfield.**

(Extract.) *Foreign Office, December* 29, 1863.

HER Majesty's Government are at a loss to understand in what manner an aggression on Danish territory can be expected to act as a check on movements of a revolutionary character in Germany. On the contrary, such aggression would act as a spur rather than a curb on revolutionary movements.

It is impossible for me, except after consultation with my colleagues, to say what will be the future policy of Her Majesty's Government in regard to the matters now in controversy ; and I shall not have an opportunity for such consultation till the Cabinet meets next week.

But Her Majesty's Government have not hesitated in the meanwhile to direct Her Majesty's Minister at Frankfort to communicate to the Diet a copy of the Treaty of May 8, 1852, under the impression that by doing so they might strengthen the bands of Austria and Prussia in that Assembly.

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* Similar despatches were addressed to Sir A. Buchanan and Lord Napier.

No. 547.

Lord Napier to Earl Russell.—(*Received December* 30.)

(Extract.) *St. Petersburgh, December* 25, 1863.

I WAITED on Prince Gortchakoff this forenoon with your Lordship's telegraphic despatch of yesterday's date, stating that while Her Majesty's Government could not originate an overture for a restricted Conference at Paris on the Danish question, they would be glad to see a proposal to that effect on the part of the Government of Denmark.

Prince Gortchakoff suggested that Her Majesty's Government might insinuate to the Danish Cabinet to make such a proposal. He would not himself take the initiative, but if Her Majesty's Government should judge it desirable to instruct Lord Wodehouse to take the step referred to, he, on his part, on learning that such was the case, would direct M. de Ewers to co-operate with his Lordship. The Prince stated, however, that intelligence had reached him which appeared greatly to discourage this combination. M. de Budberg had telegraphed that the overtures of Austria and Prussia for a limited Conference on the Danish question had been repelled by M. Drouyn de Lhuys, the measure in question being widely different in scope and character from the Congress advocated by France. Nevertheless, if Her Majesty's Government still thought the plan feasible, he would act so far in conjunction with your Lordship.

No. 548.

Lord Napier to Earl Russell.—(*Received December* 30.)

(Extract.) *St. Petersburgh, December* 25, 1863.

PRINCE FREDERICK of Augustenburg has addressed a letter to the Emperor of Russia, in which he solicits the recognition of his claim to the Duchies of Holstein and Schleswig on "legitimist" principles.

Prince Gortchakoff informs me that the letter will not be returned, but that it will be left without an answer.

The Vice-Chancellor has received very unfavourable intelligence respecting the attitude taken by the Bavarian Government in this question. The Russian Chargé d'Affaires at Munich has telegraphed that the Cabinet of Bavaria has approved the proposal of M. de Beust to proclaim the Prince of Augustenburg, to procure his recognition by the Diet, and to establish him in the Duchies by means of a Bavarian force, whether the Austrian and Prussian troops withdraw or oppose it.

No. 549.

Sir H. Howard to Earl Russell.—(*Received December* 30.)

My Lord, *Hanover, December* 28, 1863.

A FEW days ago I called Count Platen's attention to the very improper reference to the Succession question which the Federal Commissioners in Holstein, MM. Nieper and De Konneritz, had made in their Proclamation of the 23rd instant, although the resolution of the Diet of the 7th instant, such as it was communicated to the Danish Government, did not contain any reserve on that point, the motives having been omitted.

To-day I brought under his Excellency's notice the unjustifiable conduct of those Commissioners, and of the Federal military authorities, not only in allowing of the Proclamation of the Prince of Augustenburg as Duke, but likewise in permitting their troops to assist at such proceedings as is reported to have been the case at Altona, and to march to revolutionary airs. I observed that the Commission which the Federal authorities had received was to govern the Duchies of Holstein and Lauenburg in the name of the Confederation, according to the existing laws, and

without detriment to the rights of the Sovereign ; and surely such a course as they were pursuing was quite inconsistent with their duty..

Count Platen replied that he had no means whatever of control over the Commissioners, who were no longer Hanoverian and Saxon, but Federal officers, acting under the orders of the Diet, and that he was not even in correspondence with M. Nieper. His Excellency remarked that it would require a very much larger force than the Commissioners had at their disposal to prevent the proclamation of the Prince of Augustenburg throughout a whole country which seemed determined upon it, but that it would be their duty to prevent any interference being exercised on the part of the Prince in the Administration with which they had been charged.

I remarked that if the Federal Execution was only to be made the shield for promoting the pretensions of the Prince of Augustenburg, those Powers who had counselled Denmark to withdraw her troops from Holstein in order to avoid an immediate conflict might hereafter have occasion to regret that recommendation; but his Excellency replied that even in the case of a war Denmark would have been obliged to evacuate Holstein, as it did not furnish any strategic points of defence.

I have, &c.
(Signed) HENRY F. HOWARD.

No. 550.

Earl Russell to Sir A. Buchanan.

Sir, *Foreign Office, December* 30, 1863.

YOUR despatches to the 26th instant have been received and laid before the Queen.

Her Majesty's Government entirely approve the language which, as reported in these despatches, you have from time to time held to M. de Bismarck in regard to the pending differences between Germany and Denmark.

I am, &c.
(Signed) RUSSELL.

No. 551.

Earl Cowley to Earl Russell.—(Received Deeember 31.)

(Extract.) *Paris, December* 29, 1863.

I SAID to-day to M. Drouyn de Lhuys that I had heard a report that General Fleury had informed the Danish Government that were a war to break out between Denmark and Germany the Danish Government must not expect assistance from France. Was this true? I asked.

M. Drouyn de Lhuys replied that the instructions given to General Fleury prescribed to him to conform his mission as much as possible to the conveyance of complimentary messages from the Emperor. Should he be obliged—and it was hardly to be avoided—to speak on political matters, he was to advise all possible concessions for the maintenance of peace. It might be that with a view of furthering this pacific policy the General had stated that the support of France must not be expected in the event of war, but he (M. Drouyn de Lhuys) was positive that no declaration had been made by the General which did not leave the Emperor free to take any course which events might render expedient.

No. 552.

Earl Cowley to Earl Russell.—(Received December 31.)

(Extract.) *Paris, December* 29, 1863.

I SAW M. Drouyn de Lhuys this afternoon, and communicated to him your Lordship's despatch of yesterday's date, stating the view taken by Her Majesty's Government of the present state of the Schleswig-Holstein question. In accordance with your Lordship's instructions I left a copy of the despatch with him.

M. Drouyn de Lhuys observed that your Lordship's reasoning was perfectly just, but that it appeared to him that no further move could be made in the direction suggested by your Lordship until the Austrian and Prussian Governments should state precisely what were the demands which they had to make upon Denmark. I said that we might wait for ever for more explicit information than they had already given, and in the meantime they were taking the law into their own hands.

M. Drouyn de Lhuys replied that such was, no doubt, the case, and he proceeded to say that he had been applied to by the Governments of Vienna and Berlin to know whether the French Government would be willing to resume the Conferences which had been held in 1851-52 upon the Schleswig-Holstein question, the seat of the Conferences to be Paris, and with the addition of a Plenipotentiary from the Germanic Confederation.

To this question, thus confidentially put, he had, he said, replied in a communication equally confidential, that he saw no advantage to be obtained from the admission of a Plenipotentiary from the Diet, who would certainly do all in his power to disturb the arrangements of 1852, to maintain which would be the object of the Conferences, and to detach Austria and Prussia from the views which they had then expressed and upheld. That with regard to Paris becoming the seat of any further Conferences, though he recognized the courtesy which had dictated the idea, it would not suit the position of the French Government. His Excellency proceeded to detail the reasons which had influenced the Imperial Government first, in proposing a general Congress, and next, a restricted one. They are already known to your Lordship, and I need not repeat them. Now, many of the Sovereigns, M. Drouyn de Lhuys continued, who had accepted both these invitations, would be excluded from the Conferences contemplated by the two Great German Powers, and it would not be consistent with the Emperor's dignity, nor accord with the courtesy due to those Sovereigns who had expressed their readiness to adopt His Majesty's views, that Conferences to which they would not be invited should be held in Paris.

Then, with regard to the object of the Conferences. Before accepting or declining them, the Imperial Government must know the intention of the Governments of Austria and Prussia. At the present moment the Germanic Confederation had taken military possession of the Duchy of Holstein. That possession had been followed by the proclamation, without remonstrance or protestation from the Federal authorities, of the Prince of Augustenburg as Sovereign of the Duchy, and a motion, which would probably be carried, was now before the Diet, to recognize the claims of this Prince. Before the Imperial Government could consent to renew Conferences, they must know whether Austria and Prussia intended to support the acts of the Diet, or whether they would consider themselves bound by the decision at which the Conference might arrive. They must be assured that any arrangement which might be made now could not become a dead letter, as was the case with the Treaty of London. It was in this sense that he had addressed himself to the two Great German Powers in despatches which had been transmitted to their respective destinations yesterday, and until he should receive answers from Vienna and Berlin (and he had asked for them by telegraph) he could say nothing more upon the subject of Conferences.

In thanking M. Drouyn de Lhuys for the communication which he had made to me, I said that Her Majesty's Government had also been sounded in the same confidential manner; and that, although they might have insisted with right on the Conferences being carried on in London, they had at once consented to waive that right, if by so doing any facility could be given to the early consideration of this pressing question. With regard to the Treaty of 1852 having become a dead letter, I said that that must depend in a great measure on the consent of those who had signed it, and that it must, at all events, not be overlooked that that Treaty had ensured eleven years of comparative tranquillity to Denmark.

I then asked M. Drouyn de Lhuys to tell me, if he would, what the opinion of the French Government was as to the Treaty of 1852, and whether they intend to abide by it or not.

He replied, that on the whole he considered the claims of Denmark under the Treaty of London to be unimpeachable. The Danish Government had no doubt committed faults and might have been more liberal in their treatment of the Duchies, but the terms of the Treaty were undoubtedly in favour of Denmark. But as to abiding by it, that is, as to taking up arms for its maintenance, he must see his way clearer before he could say more.

I said that Her Majesty's Government were most sincerely desirous to act with the Imperial Government on this question. They felt that if the two could agree, war might be avoided; otherwise the danger of war was imminent. M. Drouyn de Lhuys said, that he partook this opinion; but as his Excellency made no further observation, I remarked

that it would be a grievous thing if the difference of opinion which had arisen upon the merits of a general Congress were to produce an estrangement which would leave each Government to pursue its own course. I hoped that this would not be the case. Her Majesty's Government would do all in their power to avoid it. I presumed that I might give them the assurance that the Imperial Government were not decided to reject the notion of a Conference.

M. Drouyn de Lhuys replied, that the Imperial Government were anxious to prevent a war, and if they saw their way to its prevention through a Conference, they would not refuse to take part in one. More he could not say at the present moment.

I have detailed, as far as time will admit of, the general tenour of my conversation with M. Drouyn de Lhuys. I should add that his Excellency expressed the opinion that if your Lordship would also insist on knowing the intentions of the two Great German Powers, it would aid in bringing this question to an earlier solution.

No. 553.

Earl Russell to Mr. Gordon.

Sir, *Foreign Office, December* 31, 1863.

WITH reference to your despatch of the 17th instant, in which you inclose a despatch from Mr. Baillie, stating that he had been informed by Baron Roggenbach that the Baden Government had no objection to permitting Prince Frederick of Augustenburg to raise his contingent to the Federal army out of Holsteiners who had taken refuge in Baden territory, I have to state to you that the course thus adopted by Baden of allowing the Prince of Augustenburg to raise in Germany what he calls his "contingent to the Federal forces," before Germany has actually embarked in a war with Denmark, appears to Her Majesty's Government most objectionable, and would throw a heavy responsibility on the Baden Government.

I am, &c.
(Signed) RUSSELL.

No. 554.

Earl Russell to Sir A. Buchanan.

(Extract.) *Foreign Office, December* 31, 1863.

HER Majesty's Government do not hold that war would relieve Prussia from the obligations of the Treaty of 1852. The King of Denmark would by that Treaty be entitled still to be acknowledged as the Sovereign of all the dominions of the late King of Denmark.

He has been so entitled from the time of the death of the late King.

A war of conquest, undertaken by Germany avowedly for the purpose of adding some parts of the Danish dominions to the territory of the German Confederation might, if successful, alter the state of possession contemplated by the Treaty of London, and give to Germany a title by conquest to parts of the dominions of the King of Denmark.

The prospect of such an acquisition may no doubt be a temptation to those who think it can be accomplished; but Her Majesty's Government cannot believe that Prussia will depart from the straight line of good faith in order to assist in carrying such a project into effect.

If German nationality in Holstein, and partially in Schleswig, were made the ground of the dismemberment of Denmark, Polish nationality in the Duchy of Posen would be a ground equally strong for the dismemberment of Prussia.

It appears to Her Majesty's Government that the safest course for Prussia to pursue is to act with good faith and honour, and to stand by and fulfil her Treaty engagements. By such a course she will command the sympathy and approval of Europe; by a contrary course she will draw down upon herself the universal condemnation of all disinterested men.

By this course alone war in Europe can be with certainty prevented.

In this view it is very unfortunate that Admiral Irminger was refused an audience at Vienna, and could not obtain one at Berlin. It was clearly an insult to the King of Denmark.

No. 555.

Lord Wodehouse to Earl Russell.—(*Received January* 1, 1864.)

My Lord, *Copenhagen, December* 26, 1863.

I LOST no time this morning in communicating to M. Hall the substance of the telegram which I had the honour to receive yesterday afternoon* from your Lordship informing me that Her Majesty's Government were willing to support a proposition from the Danish Government for a Conference at Paris on the differences between Denmark and Germany.

M. d'Ewers was present at the interview which I had with his Excellency.

M. Hall inquired what was meant by the condition that affairs should remain *in statu quo* till the Conference had deliberated. He had, he said, received intelligence that the Saxon troops had proclaimed the Prince of Augustenburg at Altona.

I replied that I took it to be a matter of course that the maintenance of the *status quo* meant that the Prince of Augustenburg should not be installed as Duke of Holstein, and that I also understood it to mean that during the deliberations of the Conference nothing should be done as to the Constitution of November 18.

As, however, M. Hall only holds office pending the appointment of his successor, I did not enter further into the matter, but requested his Excellency to lay the communication I had made as soon as possible before the King, which he promised to do.

I acquainted my French and Swedish colleagues, as well as M. d'Ewers, with the step which I was about to take.

I have, &c.
(Signed) WODEHOUSE.

No. 556.

Lord Wodehouse to Earl Russell.—(*Received January* 1, 1864.)

My Lord; *Copenhagen, December* 29, 1863.

I HAD some conversation yesterday with M. Vedel, the Under-Secretary for Foreign Affairs.

M. Vedel asked me whether, if the Danish Government determined to propose a Conference on the terms suggested by your Lordship, they should address the proposal to England alone, or to all the Powers who had signed the Treaty of 1852.

I begged M. Vedel to understand distinctly that my communication to M. Hall was not to be regarded in the light of an overture from Her Majesty's Government, but simply as a suggestion; and I said it seemed to me that the Danish Government should address their proposal to the three Powers who had tendered advice to Denmark at the present juncture, namely, to France, England, and Russia.

It would, I observed, probably be difficult enough to induce Germany to consent to a Conference even if France and Russia co-operated heartily with England, but without such co-operation he must see that it would be almost impossible. It was obvious, therefore, that it was most undesirable that the application for a Conference should be made exclusively to England. With regard to the German Powers, I said that as there might be a difficulty in the present state of their relations with Denmark in making a direct communication to them, it would, perhaps, be sufficient to furnish the Danish Ministers at Berlin and Vienna with copies of the instructions sent to their colleagues at Paris, London, and St. Petersburgh, with orders to make known the contents of those instructions to the Prussian and Austrian Governments if they thought it expedient.

M. Vedel further asked me whether I thought that the Danish Government should state that the negotiations must take place on the basis of the Treaty of 1852.

I replied, that in my judgment it would be a mistake to make any special reference to the Treaty of 1852, as, by so doing, the Danish Government would appear to admit that a question might be raised as to the validity of that Treaty. I recommended that controversial topics should as far as possible be avoided, and that the proposal should be placed on the broad ground of an appeal from Denmark to the three Powers, to assist her in a last endeavour to unravel by negotiation the complicated questions on which she is at issue with Germany, instead of cutting the knot by a war, the consequences of which might extend far beyond the narrow area of the actual dispute.

I took care to impress upon M. Vedel, that in promising to support Denmark in

* See No. 521.

obtaining a Conference, Her Majesty's Government in no way withdrew from their opinion that the Constitution of November 18 ought to be revoked as regarded Schleswig.

I have, &c.
(Signed) WODEHOUSE.

No. 557.

Lord Wodehouse to Earl Russell.—(*Received January* 1, 1864.)

My Lord, *Copenhagen, December* 29, 1863.

I HAVE the honour to state that Bishop Monrad, who was a leading member of the Hall Ministry, accepted yesterday the office of President of the Council, and has undertaken to form a new Cabinet.

I have, &c.
(Signed) WODEHOUSE.

No. 558.

Lord Wodehouse to Earl Russell.—(*Received January* 1, 1864.)

My Lord, *Copenhagen, December* 29, 1863.

I HAVE had several conversations with the French Minister respecting the Constitution of November 18.

It is not necessary that I should report in detail what has passed between us, but it is right that I should state that his language to me has been entirely in accordance with the advice which General Fleury informed me he was instructed to give to the Danish Government.

I have, &c.
(Signed) WODEHOUSE.

No. 559.

Mr. Gordon to Earl Russell.—(*Received January* 1, 1864.)

(Extract.) *Stuttgardt, December* 27, 1863.

I HAVE the honour to acknowledge receipt yesterday of your Lordship's despatches of the 17th and 22nd instant.

I obtained an interview with Baron Hügel to-day, in order to communicate to his Excellency the former of the above despatches, and I carried with me a copy of it to be left in his hands, as authorized to do by the latter.

After reading over with Baron Hügel the despatch of the 17th, his Excellency remarked that the principles urged therein might be very good, but it was a matter of impossibility for this Government to adhere to the validity of their accession to the Treaty of 1852; that at all events he would not be the Minister who would counsel or sanction such an act on the part of the King; that if he did so he might just as well order for himself an apartment in the Lunatic Asylum, and that he would be pointed out to execration and ridicule by all his countrymen; and that, if the King desired still to adhere to the Treaty, he must find another Minister to take the responsibility, for that he would certainly decline to do so.

Baron Hügel then showed me the last number of one of the Radical newspapers here, which had just been suppressed by the Government on account of a most violent and in fact revolutionary article which it contained, urging the people to rise as in 1848, in order to force the Governments of Germany to support the pretensions of Prince Frederick of Augustenburg; and Baron Hügel asked me whether it was a time to maintain the validity of their adherence to the Treaty of 1852 when such principles as these were advocated and very likely to be acted upon.

It is not necessary to trouble your Lordship with a more lengthened report of other portions of Baron Hügel's reply, which were more easy to reply to than the above. They referred chiefly to the old argument, that Denmark had not fulfilled

her engagements to Germany, which in fact your Lordship's despatch of the 17th most unanswerably confuted. What I have reported is plain enough, and I thanked Baron Hügel for the clearness of his statement, which I assured his Excellency I would transmit to your Lordship.

The fact really is, my Lord, that in the present state of public feeling here and in the other States of South Germany, at all events—and I particularly refer to Bavaria and Baden—the Governments are too weak to resist the popular agitation which has risen on the subject of the Succession to the Duchies of Schleswig, Holstein, and Lauenburg. I particularly mention all three; they are considered to be entirely in the same category, and nothing short of the severance of all three from Danish rule, or at the very least of the two purely German Duchies and the German portion of Schleswig, will satisfy the German patriotic, as well as radical, agitation which now prevails. If any Government should venture to resist, it and its ruling family would be without doubt overturned. Nothing short of the German occupation of Schleswig will now satisfy the people, and they would rather that Denmark should resist the Federal force in Holstein than that it should yield and so afford no pretext for an armed attack on Schleswig.

I have called this agitation patriotic as well as radical. Both lines of opinion unite in urging the same course on the Governments: the former striving after an united Germany, which it is hoped to arrive at by a display of German strength upon this question; and the latter taking advantage of it, as witnessed by the late meeting of members of the different German Legislatures at Frankfort, to push their own schemes and gain adherents to their almost revolutionary projects.

In my despatch of the 23rd ultimo, to which your Lordship refers in your despatch of the 30th (only received by me on the 26th instant) I stated shortly what even then appeared to me to be the evident necessity in this respect, to which I feared this Government must bow, as regards their accession to the Treaty of 1852, and I regret exceedingly that I find myself compelled to differ—and now far more decidedly than would have been the case five weeks ago—with your Lordship's observation in the above despatch to the effect that the faithful adherence of this Government to their engagements assumed by their accession to the Treaty of 1852, would save them from the revolutionary movements to which I feel convinced that they are perilously exposed, if they oppose in this affair the strong and unanimous feeling and determination of the whole country.

I am persuaded that if the violation of Treaty engagements will not save Wurtemberg from revolution, the maintenance of them, in this case, would most certainly precipitate such a catastrophe.

I trust that I shall be excused for making this remark with reference to your Lordship's above-named despatch, and for assuring your Lordship that there has been no eagerness on the part of this Government to get rid of solemn engagements in this case, but that I can testify that their conviction of the necessity to do so was forced upon them most unwillingly.

Before leaving Baron Hügel I asked his Excellency whether he had already instructed the Wurtemberg Representative at the Diet to vote for the right of Succession of Prince Frederick of Augustenburg to Schleswig-Holstein and Lauenburg. Baron Hügel replied to this in the negative. But I learn that a great Council of State (including the six Counsellors without portfolios) is to be held to-morrow, to determine on the course to be pursued.

Baron Hügel had a meeting last week at Augsburg with Herr von Beust on the latter's way from Munich, where he had conferred with Baron Schrenk, and I have no doubt that these three Ministers have determined upon the course to be pursued by their respective Governments in common, and that this course will be adopted by the great Council here at their approaching meeting.

No. 560.

Mr. Gordon to Earl Russell.—(*Received January* 1, 1864.)

(Extract.) *Stuttgardt, December* 29, 1863.

AT an interview which I had with Baron Hügel to-day, his Excellency informed me that he had communicated to the King your Lordship's despatch of the 17th instant, and that His Majesty had declared that he considered himself released from the obligation he had incurred by acceding to the Treaty of London of 1852, in consequence

of the Danish Government not having fulfilled the engagements they had taken towards Germany at the same time.

My correspondence, forwarded to-day by post and messenger, will sufficiently show that no other answer could have been expected from the Wurtemberg King or Government, notwithstanding the unanswerable arguments employed by your Lordship in proof of the inadmissibility of such reasoning. This and the other Governments of the German Middle States are, under the pressure of the irresistible force of public opinion, supported by the fear of revolutionary outbreak if they should disregard its behests.

Baron Hügel informed me that by order of His Majesty he was about to address to me a note, embodying the King's reply and the decision of the Government.

I have reason to believe that it has been determined by this Government to adopt the course taken by that of Bavaria, as regards the question of Succession in the Duchies of Schleswig-Holstein and Lauenburg, and that this determination will be made public immediately.

It appears to have been fixed upon at the late meeting of Barons Hügel and Beust, at Augsburg, after the latter had conferred with Baron Schrenk.

At the first meeting to-day of the Chamber of Deputies, after the Christmas holidays, the following three questions were notified to be put to the Minister of Foreign Affairs:—

"1. Has the Government determined that it is not bound by the Treaty of London of 1852, so that it may recognize the right of Succession of Duke Frederick in Schleswig-Holstein?

"2. Will the Government declare this recognition immediately, or has it; at least, instructed its Representative at Frankfort to vote for it?

"3. Is the Government prepared to lay before the Chamber these instructions in their full extent, so as to satisfy the Legislature and the country, and with the assurance that they are not accompanied by any secret instructions on the same subject?"

I entertain little doubt that Baron Hügel will, in his answer to the above, refer to my communication to him of your Lordship's despatch of the 17th instant, and will lay before the Chamber his Excellency's promised reply, and that it is in order that he may have it in his power to show such a proof of the unreservedness of the Government's adoption of the popular policy that Baron Hügel takes the somewhat unusual course of replying by a formal note to the verbal communication of a despatch addressed to me, which I made to him by your Lordship's instructions.

No. 561.

Mr. Murray to Earl Russell.—(*Received January* 1, 1864.)

My Lord, *Dresden, December* 28, 1863.

ON Saturday the 26th instant, the earliest opportunity that I had of seeing M. de Beust after his return from Munich, I called on his Excellency, and, in obedience to the instructions contained in your Lordship's despatch of the 17th instant, I read the despatch to him, and left him a copy of it.

M. de Beust said that he perfectly agreed with the general views expressed by your Lordship in that despatch, and he admitted that the deductions therein drawn were perfectly logical and sound; but he could not admit their applicability to the course pursued by the Saxon Government. He then repeated what he had stated to me on a former occasion,—that when the assent of Saxony to the Treaty of 1852 had been asked and replied to in the affirmative, he had foreseen the disagreeable consequences that might, in after time, arise to this country from becoming a party to a Treaty which had not received the sanction of the Confederation, and had purposely evaded the word "adhésion," replacing it by "assentiment," and had introduced a reservation of the prior obligations due by this Government to the Confederation.

I observed that the whole international law of Europe would be thrown into inextricable confusion if the two great German Powers could make and sign solemn Treaties, in conjunction with the other Great Powers of Europe, and afterwards repudiate them on the ground of their obligations to the Confederation. To this M. de Beust replied that he was not called upon in this matter to defend the course followed by Austria and Prussia; nay, more, he stated that he had on various occasions informed the Representatives of those two Powers that they had, in his opinion, acted very imprudently, and had incurred the risk of finding themselves in

a dilemma such as now exists. As Minister of a secondary German Power included in the Confederation, M. de Beust holds that Austria and Prussia have a perfect right, as two of the Great German Powers of Europe, to sign separately or together Treaties affecting matters or countries beyond the jurisdiction of the Confederation; but he denies their right of signing, either separately or together, without the sanction of the Confederation, any Treaty affecting the hereditary or territorial rights of any persons or provinces within its jurisdiction. His Excellency went on to say that, however good and praiseworthy may have been the intentions with which the Treaty of London was framed, it is now beyond doubt that the voice of all countries, provinces, and classes in Germany has pronounced unanimously against it; and he makes no secret of his opinion that any German Government that should at this moment attempt to act in opposition to this overwhelming current of national feeling would imperil its own existence. Under present circumstances, it is the opinion of M. de Beust that the occupation of Holstein by the regular troops of the Confederation has been a measure not only called for by the political exigencies of the question itself, but rendered doubly necessary as being the only means of preventing insurrection in the Duchy, aided by swarms of irregular bands from all parts of Germany.

I have endeavoured to report to your Lordship as faithfully as possible the language held by the Saxon Minister on this occasion; and I have, &c.

(Signed) CH. A. MURRAY.

No. 562.

Sir A. Paget to Earl Russell.—(*Received January* 1, 1864.)

My Lord, *Copenhagen, December* 29, 1863.

ALTHOUGH your Lordship may perhaps be already acquainted with the Proclamation of the Commissioners of the Diet to Holstein and Lauenburg, issued from Buchen under date of the 23rd instant, I nevertheless think it right to furnish your Lordship with a translation of it.

It lays down the principles on which the Federal Execution in the Duchies is to be carried out, viz., that the government of the Duchies is to be undertaken in the name of the German Diet, without prejudice to the rights of the Sovereign, which are only temporarily suspended, and it calls upon all public functionaries, officials, and other inhabitants to aid the Commissioners in the discharge of the task which has devolved upon them.

I have the honour to state, with reference to the above Proclamation, that it is reported from Holstein that the Saxon Regiments entered the Duchy with the bands playing the Schleswig-Holstein revolutionary air; that the Prince of Augustenburg was allowed to be proclaimed in every town after their occupation by the German troops; that everywhere the Schleswig-Holstein colours are displayed, the officials are displaced, and some obliged to fly to escape violence, and the telegraphic wires have been cut at Altona.

It is right to add that it is also reported that placards have been issued by the Commissioners forbidding the proclamation of the Prince of Augustenburg, and calling on the population not to prejudge the Resolutions of the Diet respecting the Succession question; but notwithstanding these orders, and subsequently to their being published, it appears that a very considerable meeting for the purpose of proclaiming the Prince of Augustenburg has taken place at Altona, which is the head-quarters of the Federal armies, without any effort being made to prevent it.

The Duchy of Holstein may be considered in a state of open revolution, carried on in the presence of the troops of the Confederation.

I have, &c.

(Signed) A. PAGET.

Inclosure in No. 562.

Proclamation.

(Translation.)

IN accordance with the Resolution of the German Diet of the 7th December, 1863, we, the undersigned Commissioners of the Diet, have been appointed to undertake the

Government of the Duchies of Holstein and Lauenburg in the name of the German Diet, without prejudice to the rights of the Sovereign, which are only temporarily suspended, and to administer it until a new decree of the Diet shall have ordered the removal of the system now introduced.

In publishing the above at the moment of crossing the frontier with the troops of the Diet, and in taking upon us the whole administration of the Duchies with all their resources, we expect an unswerving obedience to our decrees on the part of all public authorities, officials, and other inhabitants, and count upon a willing support whilst discharging our task, the object of which is the defence of the country's rights.

We address ourselves especially to you, inhabitants of the Duchies.

Although it has hitherto been only a question of protecting your Constitution in accordance with the decrees adopted by the Diet, by breaking down all opposition to them, and of protecting the German element, German forms, and German honour amongst you from injury, yet that other question which now especially occupies and agitates you has not been passed over in silence in the decree of the Diet.

Banish all distrust; meet us with the same confidence which we Germans on entering your land feel towards you, our German countrymen.

Aid us in a difficult time, and under a provisional state of things, to apply the fitting measures in the interest of tranquillity and order, right and law, and to keep untimely and uncalled-for interference at a distance from your frontiers.

The more willingly you comply with our decrees, and the more you aid us in these measures, which are directed to your welfare, the better we shall be enabled to support the authorities in their constitutional duties, and the less necessity there will be for any interference with the self-administration of the communal and general affairs of the country.

Furthermore, we assure you that we shall take care that the least possible burden be thrown on the inhabitants, and that a proper indemnity be paid for what is supplied to the troops.

Let us then, under God's grace, unite in common action, in harmony, and peace, and free from party-spirit, repose all confidence in the German Diet and its further decrees.

Büchen, December 23, 1863.

Commissioners of the Diet,
Signed) VON KÖNNERITZ.
NIEPER.

No. 563.

Sir A. Paget to Earl Russell.—(*Received January* 1, 1864.)

My Lord, *Copenhagen, December* 29, 1863.

I HAVE the honour to inform your Lordship that the Ritterschaft and Landschaft of Lauenburg have passed a vote, nine against eight, in favour of recognizing King Christian as their lawful Sovereign.

A short time ago, an address very numerously signed from the inhabitants of Lauenburg was forwarded to Copenhagen expressive of their devotion to the Danish throne, and their desire to remain under the sceptre of His Danish Majesty.

I have, &c.
(Signed) A. PAGET.

No. 564.

Mr. Ward to Earl Russell.—(*Received January* 1, 1864.)

My Lord, *Hamburgh, December* 30, 1863.

THE monster-meeting held at Elmshorn in Holstein, on Sunday last, was an important demonstration of the state of public feeling in the Duchy. It was attended by at least 20,000 inhabitants of Holstein and Schleswig, and a few came also from other parts of Germany, amongst whom were M. Metz of Darmstadt, a conspicuous member of the National League. After some exciting speeches the Duke Frederick VIII was proclaimed, and acknowledged by acclamations and a show of hands. A loyal address was then voted to the Duke, to be conveyed to him at Gotha by five members of the National Committee for the Duchies, promising on the part of the meeting to stand by His Highness as their Sovereign, and thanking him for his promised adherence to the ancient

Constitution of September 15, 1848, for the united Duchies of Schleswig and Holstein. A Hanoverian battalion of infantry (3rd Regiment) having arrived in Elmshorn previously to the meeting, the soldiers are stated to have been joyfully received by the people, and to have shown strong marks of sympathy with the popular cause.

Demonstrations of a similar character are taking place throughout Holstein in all the towns from the vicinity of which the Danish military have been withdrawn. At Itzehoe, Neumünster, Bramstedt, Neustadt, Reinfeld, and Ahrensbök, the proclamation of the Duke Frederick VIII has been made, not indeed officially, but in the presence or with the approval of the constituted authorities.

The Federal Commissioners published another Proclamation under date of the 26th instant, warning the inhabitants of the Duchies against disorderly acts, and signifying their disapproval of any formal proclamation of the Prince of Augustenburg, and of any threats or acts of violence towards official persons formerly employed by the Danish Government. But as, in the same Proclamation, the Commissioners state they have no objection to manifestations (within due limits) of love and attachment to the House of Augustenburg, it is obvious that no real restraint is intended to be placed upon the expression by the people of their wishes in regard to the Succession to the Throne, or their future Constitution.

An incident not unworthy of notice occurred at Plön, in Holstein, on the 27th instant. A number of German soldiers raised in Lauenburg, and belonging to the 14th battalion of Danish Infantry (450, as stated) refused to comply with the order to march into Schleswig, and were discharged by their officers at Plön, upon surrendering their arms.

In the Duchy of Lauenburg the opinion of the landed proprietors would seem to be more divided than it is in Holstein; for at a meeting of the Equestrian Order of Landowners in that Duchy, held on the 24th instant, a resolution was passed by a majority of 9 to 8, for recognising King Christian IX as Sovereign of the Duchy. On the other hand, the feeling of the inhabitants in general of Lauenburg is reported to be very much the other way, and as the question of the Succession in this Duchy is still under the consideration of the Federal Diet (there being a third claimant in the person of the Duke of Anhalt), the above-mentioned resolution of the landowners is not likely to be much regarded by the Federal Commissioners.

The Danish troops having evacuated Kiel yesterday morning, the Federal Commissioners entered that town at noon, escorted by a body of Hanoverian dragoons and Saxon infantry. The inhabitants went out in festal procession to meet them, and, on arriving at the market-place, cheers were given by the assembled multitude to their deliverers and the German Fatherland, which the Commissioner, M. de Könneritz, acknowledged in a speech from the Town-hall, proposing a hurrah for the town and University of Kiel. After the Commissioners had retired, the acting Burgomaster proclaimed to the people that the Corporation had acknowledged Frederick VIII as Duke of Schleswig-Holstein, and had already forwarded the same by a deputation to his Highness at Gotha. The University had also sent to the Duke a separate address of allegiance, and had petitioned the Federal Diet not to delay its recognition of the legitimate Succession in the Duchies. The people signified their concurrence by acclamation and cheering, and dispersed peaceably after singing the religious hymn of "Nun danket alle Gott," and the national melody.

After the demonstrations which have now taken place in all the principal towns in of Holstein, no doubt can remain of the desire of the inhabitants to remain independent of the Danish rule, and to see the Augustenburg line of Succession established in the Duchies.

The Federal Commissioners have dismissed Count Moltke, the President of the local Holstein Government, at Plön, and two councillors acting under him, on account of the tendency hitherto pursued by the local Government, which has of course identified itself with the Ministry at Copenhagen.

The Saxon and Hanoverian forces have been gradually advancing further into Holstein. The Saxon troops have left Altona, but a number of Hanoverians are in cantonments round that town and along the Elbe-side. It is understood that the head-quarters of the General in command of the Federal army are to be fixed at Rendsburg, and that the Staff is about to be removed from Altona to that place. Hamburgh continues to be occupied by the Austrian Reserve Brigade. A Prussian Brigade, about 5,500 strong, consisting of two Infantry regiments and part of a Hussar regiment, has entered Lubeck, and is to remain for the present in that city, as the first Reserve to act hereafter, if necessary, in conjunction with the Austrian force now in Hamburgh.

I have, &c.

(Signed) J. WARD.

No. 565.

Sir A. Malet to Earl Russell.—(*Received January* 1, 1864.)

(Extract.) *Frankfort, December* 28, 1863.

I HAD the honour of receiving your Lordship's telegram* on Saturday evening at half-past 8 o'clock, and in conformity with the instructions therein conveyed to me, I addressed to the President of the Diet, on the following day, the note of which I beg to annex a copy.

In my despatch of the 25th November last I had the honour of acquainting your Lordship that M. Von der Pfordten regarded the question in an altered light; since the King's death, by opening the question of Succession in the Duchies, had produced a grave complication.

It was under these impressions that the Bavarian Government intimated their indisposition to admit the sole mediation of Her Majesty's Government in the Danish question, as reported in my despatch of the 27th ultimo.

As regards the present offer of Her Majesty's Government to go into Conference, it is to be apprehended that the Diet will in the first place allow some time to pass before giving an answer; that during that time events will have taken place in Holstein which they will seek to present as established facts, and as wholly concerning the Confederation. Further, it may be surmised, if the Conferences are accepted, that it will be sought to limit discussions to the international part of the question, as far as it concerns Schleswig; and to exclude everything relating to Holstein and Lauenburg, or to the right of Succession.

Inclosure in No. 565.

Sir A. Malet to Baron Kubeck.

Frankfort, December 27, 1863.

THE Undersigned has the honour, in pursuance of instructions from Her Britannic Majesty's Government, to communicate to his Excellency Baron de Kübeck, &c., a copy of the Treaty of London of the 8th May, 1852.

The Undersigned has the honour to request his Excellency to lay this Treaty before the Diet. The Undersigned is at the same time charged to remark that the high Diet will perceive that by this Treaty, France, Great Britain, Russia, and Sweden, agreed to recognize King Christian IX as successor to all the dominions held by His Majesty the late King of Denmark.

This recognition has already taken place by all these Powers. The Undersigned is therefore directed to point out that if the Diet by any hasty step adopts a course opposed to the Treaty of London, serious complications may ensue.

The Undersigned is further charged to state to his Excellency the President that Her Britannic Majesty's Government are ready to treat these matters at a Conference at any place that may be agreed upon, and at which Conference all the parties to the Treaty of London, and a Representative from the Germanic Confederation, might assist.

In making this communication to his Excellency the President of the High Diet, the Undersigned, &c.

(Signed) A. MALET.

No. 566.

Earl Cowley to Earl Russell.—(*Received January* 2.)

My Lord, *Paris, January* 1, 1864.

I SHOULD have mentioned in my despatch of the 29th ultimo that in the course of the conversation with M. Drouyn de Lhuys therein recounted, I observed to his Excellency that Her Majesty's Government did not admit the validity of the claim put forward by the Germanic Confederation to decide who was the legitimate Sovereign of the Duchy of Holstein. Her Majesty's Government, I said, know of no Treaty or other international act which gave this power to the

* See No. 519.

Confederation. M. Drouyn de Lhuys said that such was his impression also, and he added that the Russian Ambassador had called his attention to the fact that in the year 1829 the Succession to the Sovereignty of the Grand Duchy of Baden had been disputed, and had been settled without the interference of the Confederation.

I have, &c.
(Signed) COWLEY.

No. 567.

Earl Russell to Sir H. Howard.

Sir, *Foreign Office, January* 2, 1864.

HER Majesty's Government are given to understand that the Austrian and Prussian Governments intend to send forces into the Duchy of Holstein, and to take into their own hands the whole conduct of the Execution, in case the Frankfort Diet refuse to insist on Prince Frederick of Augustenburg leaving the Duchy; and I have to instruct you to ask Count Platen what course the Government of Hanover will take if such an event should occur.

I am, &c.
(Signed) RUSSELL.

No. 568.

Earl Russell to Sir H. Howard.

Sir, *Foreign Office, January* 2, 1864.

IT has come to the knowledge of Her Majesty's Government that the Hanoverian Minister at the Diet intends to follow the course of his Bavarian and Saxon colleagues in recommending the Diet immediately to acknowledge Prince Frederick of Augustenburg as Duke of Holstein, to recognize his proclamation, and to establish his authority in that Duchy by the aid of Bavarian and Saxon troops. Her Majesty's Government further understand that this course is to be persisted in whether the Austrian and Prussian forces should retire before the Federal troops, or should resist the execution of the intentions of the Diet. I have to instruct you to ask Count Platen whether this course has been taken with the sanction of the Government of Hanover.

I am, &c.
(Signed) RUSSELL.

No. 569.

Mr. Gordon to Earl Russell.—(*Received January* 2, 1864.)

(Extract.) *Stuttgardt, December* 31, 1863.

I HAD the honour this evening to transmit to your Lordship by telegraph a short summary of the replies made this morning in the Chamber of Deputies to the questions on the Schleswig-Holstein affair, which were addressed to him in that Body, as reported in my despatch of the 29th instant. I beg now to forward copy and translation of the same in full, as they appeared in the official paper this afternoon.

The statement of the decided resolution of the Government to repudiate the obligations incurred by the King in acceding to the Treaty of London of 1852, which was thus publicly and formally made by His Majesty's Minister of Foreign Affairs, was received by the Chamber with loud and unanimous approbation, and, at the proposal of Deputy Scholt, the whole Chamber rose to testify more signally this feeling.

If the Government hoped that in giving way to this extent to the popular enthusiasm on the subject, they would satisfy the excitement and demands which have arisen from it, they will find themselves much in error. Already this evening, in reporting and rejoicing at the decided step thus taken by the Government, the local newspapers, and foremost amongst them the "Schwäbischer Merkur," begin to point out that the movement must not terminate here, but that Germany must now go on and occupy Schleswig "before diplomacy shall have had time to hatch its ideas of Congresses," and proclaim there Duke Frederick.

Your Lordship will not fail to perceive the prominence given by Baron Hügel, in his reply to the Chambers, to the fact of the complete concert which reigns on this subject between the Governments of Bavaria, Saxony, and Wurtemberg. May not this be considered as an indication that the germ of the "Trias" or separate Confederation of the middle and smaller States is being gradually developed?

Inclosure in No. 569.

Reply of Baron Hügel, Minister of Foreign Affairs, to the Interpellation in the Wurtemberg Chamber of Deputies, relative to the Schleswig-Holstein Succession Question.

(Translation.)

BARON HÜGEL, Minister of Foreign Affairs, announced that he was able to declare on behalf of the Government, as follows:

1. That the Royal Government considered itself to be fully released from the obligations conditionally undertaken by it in the London Protocol, and that in its character of German Federal Government it felt entirely justified in the withdrawal of its adhesion, a point of view which he, with the special approbation of His Majesty, had, in an answer recently addressed to an extra-German Power, confirmed and most strictly adhered to.

2. That the Government had, moreover, decided that the London Protocol had no binding validity, as far as the German Confederation was concerned, and also that the Confederation in its decision on the Succession question was acting entirely in due appreciation of the rights of the Federal Body and the Duchies, as well as in that of public law.

3. That the Royal Government on its part considered the Duke of Augustenburg to be the legal heir, and that the Wurtemberg Minister at the Diet had already been instructed to express himself more decidedly in this sense. In the meanwhile the Government had not thought it desirable to anticipate the decision of the Diet in the Succession question by an independent declared recognition. Further, the Government considered it very desirable that the States of the Duchies should be heard, without however thereby seeing the speedy decision of the Succession question arrested. As to the instructions already issued and about to be issued to the Representative at the Diet, he was answerable for such in his capacity of a Councillor of the Crown. Whatever instructions had up to this time been issued, the Protocols of the Diet show, and will continue to show that in respect to the Succession question just those instructions had been given which he had declared in his above statement. Finally, the Minister declares that the Royal Government on this question was in the most complete accordance with Bavaria and Saxony, but that the Chambers would not expect him at present to make any further disclosures.

No. 570.

Mr. Gordon to Earl Russell.—(Received January 2, 1864.)

My Lord, *Stuttgardt, December 31, 1863.*

I HAVE the honour to inclose herewith, in translation, the note which, as I announced to your Lordship in my despatch of the 29th instant, Baron Hügel informed me he had the King's commands to address to me in reply to your Lordship's despatch of the 17th instant.

This note was delivered to me only this afternoon at half-past 5, although it is dated yesterday, and although Baron Hügel, as reported in my previous number referred to it as having been already communicated to me, in his reply this morning in the Chamber of Deputies, to the questions on the Schleswig-Holstein question, which had been addressed to him by that Body.

Only remarking that throughout this note (which expresses no regret for the necessity under which this Government finds itself placed of repudiating its adhesion to the Treaty of London of 1852) that Treaty is termed "Protocol," I hasten to forward it to your Lordship without missing a post.

I have, &c.

(Signed) G. J. R. GORDON.

Inclosure in No. 570.

Baron Hügel to Mr. Gordon.

(Translation.) *Stuttgardt, December* 30, 1863.

IN doing himself the honour of informing Mr. Gordon, &c., that he has not failed to lay before the King his gracious Master the despatch of the 17th instant of the Royal British Minister of Foreign Affairs, with reference to the Duchies, which Mr. Gordon had the goodness to communicate to him in copy, the Undersigned, &c., permits himself at the same time to add the following remarks.

Lord Russell having been pleased to set on one side those motives which had specially influenced the German Governments which had signed, and those which afterwards acceded to, the Protocol [*sic*] of May 1852, with the statement that those motives had relation to compacts of a different nature, agreed to at other periods, and contained in totally different documents, the Undersigned begs permission to recall to his Lordship a passage in the despatch of Prince Schwartzenberg, the Austrian Minister at Copenhagen, dated December 26, 1851, as having close and immediate relation to the coming into existence of the London Protocol [*sic*], and the adhesions to the same which followed afterwards. The passage runs thus:—

"Were the Danish Government now to find itself moved to acknowledge as its own that view of its programme which we have laid down in the present communication and its inclosure; if it would assure us immediately of the actual realization of the intentions which it has as yet communicated to us officially only as a possible eventuality, in the binding form of a Declaration given by order of His Majesty the King, and then also model its acts thereafter in so far as opportunity for doing so now presents itself; we could then confidently rely upon an early conciliatory issue of the existing misunderstanding between the different portions of the Danish Monarchy, as also between the latter and the German Confederation; we would resign the commission under which we, together with Prussia, represent the German Confederation in this affair, at the same time evacuating Holstein, and re-establishing the complete authority of the local Sovereign in those Duchies; we would, in the Diet, support the arrangement that has been agreed upon, and we would, at the same time, consider the new internal foundation for the bond uniting these countries under the same ruler as sufficiently far advanced, in order that we should participate in the international guarantee of the integrity of the Monarchy through recognition of the common Succession."

The Royal Government had exactly the same, and only this, point of view before their eyes when they resolved to accede to the recognition of the altered Succession in the Duchies contained in the Protocol [*sic*], under the condition that Denmark would faithfully fulfil its obligations, and that that order of Succession would be carried into execution in a constitutional manner, according to the laws of the country, that is to say, with the assent of the Representative Assemblies, of the hereditary Agnates, and of the German Confederation.

On this account, also, Wurtemberg was induced to declare its acceptance of the Protocol [*sic*] of May 8, 1852, only to the Representative of that State from which reciprocal performances were to be expected, that is, to the Royal Danish Minister of Foreign Affairs, by note of November 23, 1852; whilst the Representatives of the other Powers accredited at this Court were simply informed of this resolution of the Government.

In place, however, of straightforwardly and faithfully fulfilling the obligations assumed in return for this, the Danish Government has, during ten years, heaped acts upon acts which testify to their disregard and defiance of the German Confederation and the German nation, and has thereby awakened the feelings of humiliation and well-founded bitterness in all classes of the German population to such a degree that a resignation of the Duchies to Denmark to-day would have, to every German Government which should be ready to assent thereto, without being forced to yield to considerations of justice which might appear to it to be unavoidable, or to the power of higher interests of State and circumstances of weighty importance, heavy and incalculable consequences.

The Royal Government, on their side, believed itself, therefore, to be so much the more entitled to release itself from the engagements springing from its accession to the London Protocol [*sic*], because it is open to each of the Contracting Parties to private as well as to international Treaties, if the one party do not fulfil their obligations, to attain that fulfilment either by judicial sentence or, where no

superior tribunal exists, by other means of compulsion, or else to declare itself, on its side, freed from all engagements. If this Government, therefore, has selected the latter course, and is resolved to persist in the same, whilst it claims to itself complete freedom for the approaching vote in the Diet on the question of Succession in the Duchies, it had thought it might expect at the hands of a Cabinet which itself is so attentive to the direction of public opinion in its own country, so much the more liberal ("billigere") an appreciation than that of the reproach of want of good faith ("Mangel an gutem Glauben"), as that, and the noble Lord will not dispute it, an incomparably slighter justification must be admitted to appertain to the dissolution of many solemnly settled Treaty engagements in the course of the last years than in the present case to the Government of Wurtemberg.

This Government would only have been too thankfully grateful if the English Cabinet had been pleased earlier to manifest its zeal for the holding sacred of Treaty arrangements, by exercising commensurate influence on the Danish Government in that direction, instead of characterizing, when it is too late, the Resolution here, arising from the refusal of Denmark to fulfil its obligations, as reposing on empty and capricious motives ("leeren und launigen motiven").

Receive, &c.

(Signed) HÜGEL.

No. 571.

Mr. Gordon to Earl Russell.—(*Received January* 4, 1864.)

My Lord, *Stuttgardt, December* 22, 1863.

I HAVE the honour to inclose herewith two copies of the Report of the Constitutional Committee of the Wurtemberg Chamber of Deputies on the Schleswig-Holstein question.

The Chamber had remitted to the Committee the Declaration of the Minister of Foreign Affairs with reference to the Schleswig-Holstein question (transmitted to your Lordship in my despatch of the 30th of November), together with the accession of Wurtemberg to the Treaty of London of May 8, 1852, and the inclosed Report is the result.

The Report commences with an historical sketch of the relations of the Duchies of Schleswig and Holstein to the Crown of Denmark, and to the German Empire and Confederation, supporting its allegations by citations from Treaties and other public documents, and concluding with the Declaration of Baron Hugel in the Chamber on the 28th of November, already referred to.

The Report concludes, from the facts and arguments brought forward in it, that the Hereditary Prince Frederick of Augustenburg is the rightful heir to the sovereignty of the Duchies of Schleswig and Holstein.

The second portion of the Report shortly examines, first the legal side of the question of Succession, and the Reporters declare it to be their legal opinion that "the Duchies of Schleswig and Holstein are inseparable, being bound together by the common line of Succession of their Sovereigns, and that the Succession in the male line prevails in Schleswig as well as in Holstein."

Secondly, the Treaty of London, which in this as in all other German documents is denominated "Protocol," is again considered, and the Reporters state it as their belief, "that the German Great Powers are not bound by this Treaty, or, at all events, that it could not justly prejudice in any way the rights of the German Confederation and of the Duchies."

I inclose a translation of this portion of the Report, as it brings forward the arguments by which some of the German Governments, and the Wurtemberg Government among them, seek to defend the course they are prepared to take in repudiating their accession to the Treaty of London of 1852.

Thirdly, the Report examines shortly the rights and duties of the German Diet in such a case as that of the disputed Succession in Schleswig-Holstein, and the Reporters declare that they have no hesitation in denying all right of the present King of Denmark to Schleswig and Holstein.

They had already in the first portion of the Report established, as they believe, the justice of the claims of the so-called Frederick VII to the two Duchies; and from the above they deduce the conclusion, "that measures of defence for the Confederate State Holstein against the King of Denmark should be immediately adopted."

But they do not stop here, but proceed to assert it to be the duty of the Confederation to extend these measures to Schleswig also, in order to protect in that country the rights of the Confederate State Holstein.

The Report then condemns the decision of the Diet of December 7 to carry out the Federal Execution in Holstein, instead of a military occupation of the Duchies, approves the step taken by the Wurtemberg Government in voting against this measure, and expresses the hope that the clause appended to the above vote, to the effect that it shall not be considered to prejudice the question of the Succession, will prevent the bad consequences which must otherwise have ensued from the recognition which the fact of a Federal Execution would seem to establish of the rights of the King of Denmark as a Federal Prince. But the Reporters propose that the Government should be requested first, still to vote in the Diet "for the armed occupation of the Duchy of Schleswig, and to urge the same by all means in its power;" and finally the following Resolution was proposed for the adoption of the Chamber:—

"To make to the Government the urgent request that they would on their part recognize as soon as possible the right of Succession of Duke Frederick VIII in the Duchies of Schleswig and Holstein, and that they will use all the means in their power to bring about the recognition of this right by the Diet."

The two Resolutions thus proposed by the Committee were put to the Chamber after a five hours' debate, and were both carried unanimously.

Baron Hügel, who was present at the debate, asserted his feeling for the honour of Germany to be as strong as any one's; but he urged the necessity of moderation and of acting in concert with the two Great German Powers, promising that the Government would proceed with all possible firmness and promptitude in endeavouring to bring the question of the Succession to the sovereignty of the Duchies to as speedy a decision in the Diet as possible.

I have, &c.
(Signed) G. J. R. GORDON.

Inclosure in No. 571.

Extract from Report of Constitutional Committee of Wurtemberg Chamber of Deputies, on Schleswig-Holstein Question.

(Translation.)

THE London Protocol of the 8th of May, 1852, did not pretend to establish and guarantee unalterably the Succession of Prince Christian of Glücksburg; and had such been its intention, it was not an act legally binding as far as concerns the Duchies and the Confederation.

The Great Powers and Sweden expressed themselves as follows:—

"Les Hautes Parties Contractantes s'engagent d'un commun accord dans les cas où peut se produire l'éventualité qui est en vue, à reconnaître en Son Altesse le Prince Christian . . . et ses descendants mâles . . . le droit de succéder à la totalité des Etats," &c., &c.

Your Commission can only recognize, as the rightful interpretation, that the Contracting Parties in no wise undertook the duty of setting the here-provided Succession into operation, but only that of acknowledging the fact of heirship, and on their part not to raise any protest should the same assume a *de facto* existence. If through the opposition of the Duchies and of the Confederation, or the relatives on the paternal side, the same should not be performed, or the performance thereof, already begun, be arrested, then the Contracting Parties are not under the obligation of insisting on the heirship of King Christian IX. Recognition, in this sense, is entirely contrary to guarantee, as such is often undertaken by States, third parties; here, however, it is not expressed. When in Article III all rights and obligations are explicitly secured which presently exist between the Danish Sovereign and the German Confederation, thereby is it also reserved that that Succession should not be carried out in so far as it may oppose the rights of the German Confederation. Next, if this act had simply in view the federal duties of a Prince forming part of the German Confederation as they are laid down in the Federal Act, then any appeal to the law of the Confederation cannot lose sight of the thereon-dependent fact that the German Confederation is compelled to protect and carry out the rights of the Federal State of Holstein as the Federal Act expresses them, without regard to that Treaty. In these rights of the Confederation and of the Duchies it would be impossible to interfere with any just consequences, in accordance with motives of expediency, which are the sole grounds of the London Treaty.

There was no question of rights of conquest; legal grounds for the heirship of the

female branch were, in truth, not propounded for Schleswig, nor for Holstein, either has any serious attempt ever been made to any such pretensions. Only the doubtful grounds of the so-called European balance of power were put forward on behalf of the Treaty, for which purpose injury to the rights of a State and a people cannot rightfully be done. The fact of the accession of Wurtemberg and other German States can admit of no other interpretation, any more than the Treaty itself can.

But, as well in respect to it as to the Treaty itself, the rule of international law is applicable, that if one contracting party declares himself freed from the obligations he has incurred, the co-contracting party is no longer bound thereunto, a principle which acts as its own vindicator in circumstances where a judicator cannot superintend the proper execution of them.

Denmark undertook, to the two great German States, to allow the hitherto-existing Constitution of the Duchies to continue to exist in all important points, and to permit the same rights to be accorded to all the component parts of the Danish monarchy, so that no portion should be subordinate to another.

The German Confederation itself, in the manifesto of the 30th of March, 1863, remarks on the infraction of this obligation in so far as Holstein is concerned. The Common Constitution of Denmark, which incorporates Schleswig, has also, in respect to the latter, broken through a material stipulation in the London Treaty.

We do not consider that the German great Powers are any longer bound by this Treaty; in any case it ought not, with any justice, to encroach on the rights of the German Confederation and the Duchies.

No. 572.

Mr. Gordon to Earl Russell.—(*Received January* 4, 1864.)

My Lord, *Stuttgardt, December* 24, 1863.

I TRANSMITTED to your Lordship in my despatch of the 17th instant, a despatch from Mr. Baillie, stating that the Baden Government had acceded to the request of Prince Frederick of Augustenburg for permission to organize as a military force such Schleswig and Holstein subjects as might be willing to engage as soldiers in his service.

The same request has been made to this Government, but no reply has been as yet returned to it.

I have, &c.
(Signed) G. J. R. GORDON.

No. 573.

Mr. Gordon to Earl Russell.—(*Received January* 4, 1864.)

(Extract.) *Stuttgardt, December* 28, 1863.

I HAVE classed Baden with Bavaria and Wurtemberg in violence of feeling in favour of the Augustenburg Succession to Schleswig-Holstein. This is in fact far stronger in the Grand Duchy than in the two above-named Kingdoms, and I have thought it best to report upon it separately.

In my despatch of the 17th instant I transmitted a despatch from Mr. Baillie on the subject, and reported that a considerable credit had been voted by the Legislature to cover the expense of preliminary military preparations. This sum is now being applied to the purposes for which it was voted.

Besides this Prince William, the Grand Duke's brother, has been commissioned as Lieutenant-General in the Baden service, where he has hitherto held no rank, and has been appointed Inspector-General of the Baden forces, in anticipation of their being called into active service.

Herr von Dusch, the Baden Minister here, declares to me that, in the event of the German Great Powers continuing to adhere to their Treaty engagements of 1852, Baden would wish that Bavaria should take the place which belongs to her from her population and rank in leading the forces of the middle and smaller German States to support the cause of the Augustenburg Prince; but that should Bavaria not assume that place, and Wurtemberg also should hold back, Baden was quite ready to take the lead, and did not fear that she would meet with opposition from her Confederates.

I am inclined to believe that there is but little exaggeration in the above statement

From all which reaches me it is evident, I regret to have to say, that in Baden the Government not only does not repress the popular excitement on the subject of Schleswig-Holstein, but absolutely leads and encourages it, and is prepared to go almost any lengths in furtherance of its objects.

No. 574.

Mr. Gordon to Earl Russell:—(*Received January* 4, 1864.)

My Lord, *Stuttgardt, January* 1, 1864.

I HAVE the honour to transmit herewith a despatch and its inclosure which I have just received from Mr. Baillie, reporting the direct antagonism of the Baden Government to the policy of Her Majesty's Government on the Schleswig-Holstein question, and the apprehension of Baron Roggenbach that, if the two Great German Powers should continue to oppose the popular opinion of Germany with regard to it, the middle and smaller States will form a separate Confederation, which would, in fact, amount to a second Confederation of the Rhine.

I have, &c.

(Signed) G. J. R. GORDON.

Inclosure in No. 574.

Mr. Baillie to Mr. Gordon.

(Extract.) *Carlsruhe, December* 31, 1863.

THE position taken up by this Government is one of direct antagonism to Her Majesty's Government, and the language of Baron Roggenbach to me in conversation gives every ground for concluding that no change of policy is to be expected here.

Baron de Roggenbach has expressed to me his firm belief that Prussia and Austria will be unable, eventually, to resist the pressure exerted upon them by popular opinion; but should they do so, and stand aloof from the smaller States, the latter, he says, would form a third group—a second sort of Confederation of the Rhine—which, though he would regret it (as he has always considered England to be Germany's best and natural ally) must necessarily look to France for protection and support.

Baron de Roggenbach has also said to me that Her Majesty's Government should be under no illusion as to the state of public feeling in Germany on this question, and he has more than once given me to understand that the Governments of the smaller States, even if otherwise disposed, are utterly powerless to adopt any other course than that which they are now pursuing.

No. 575.

Lord A. Loftus to Earl Russell.—(*Received January* 4, 1864.)

My Lord, *Munich, December* 33, 1863.

THE sudden arrival here on the 18th instant of Prince Frederick of Augustenburg, to pay his respects to the King of Bavaria, has created some sensation.

Baron Schrenk informed me that his visit was quite unexpected.

The Prince had written to His Majesty to thank him for returning to Munich on a question involving his personal interests, and he expressed a wish to do so in person. M. de Stockhausen (an agent of the Prince now residing here, but not recognised in any official capacity) called on Baron Schrenk on the morning of the 18th instant and stated that he had telegraphed to the Prince to say that, as the object of his visit was to obtain an immediate recognition by the King of Bavaria, and as that object was not at present attainable, it would be better for him not to visit Munich.

This telegram in cypher was refused transmission, the writer not being an official person, and a few hours after M. de Stockhausen was informed of the Prince's having reached Bamberg and of his intended arrival that evening at Munich.

I am informed that the King received the Prince most graciously, advancing to the staircase to meet him.

Prince Frederick travelled *incognito* under the title of Count Storman-Augusten, and

was accompanied by the two Counts Rantzau and a numerous suite. He had an interview with Baron Schrenk, who informs me that he was very reasonable and calm. From what I could gather from Baron Schrenk, it did not appear to be the intention of the Prince to enter Holstein until the Diet has decided on the question of his rights.

On the morning following the Prince's arrival, he witnessed from the windows of the Palace, but without appearing before the public, an ovation offered to the King of Bavaria by the inhabitants of the capital. A crowd of several thousands assembled before the Palace to thank His Majesty for returning to Munich, and for his declaration in favour of Prince Frederick and of the rights of the Duchies of Schleswig-Holstein.

His Majesty appeared at the window and was much affected at the loyal demonstration of his people.

Baron de Beust, the Saxon Minister President, arrived here on the 20th instant, and has had interviews with the King of Bavaria and Prince Frederick of Augustenburg.

I have, &c.

(Signed) AUGUSTUS LOFTUS.

No. 576.

Lord A. Loftus to Earl Russell.—(*Received January* 4, 1864.)

(Extract.) *Munich, December* 23, 1863.

AT an interview I had yesterday with Baron Schrenk, I referred to the sudden presence here of Baron Beust, the Saxon Minister President, and I inquired of his Excellency the motive of his visit to Munich.

Baron Schrenk said that Baron Beust had come to confer with him on the Schleswig-Holstein question. His Excellency stated that Bavaria and Saxony partook of the same views ("se trouvaient sur la même ligne") on that question; the only shade of difference being that the King of Bavaria had already expressed his personal convictions as to the legal rights of Prince Frederick, whereas the King of Saxony was occupied in studying them. Baron Schrenk then continued to state that Baron Beust and he were agreed that it was most desirable to hasten as much as possible a decision of the Diet on the question of the legal Succession to the Duchy of Holstein, as it was necessary to put an end to the state of uncertainty now existing, which tended to keep up the popular agitation and to inflame the public mind.

I replied to his Excellency that I could not agree in this opinion. I remarked to him that in the present feverish state of public opinion, a decision either adverse or favourable to Prince Frederick would equally give cause to public manifestations, which might endanger the public peace. Surely, I observed, the Federal Execution having now taken place, and in all probability without causing a conflict, it was unnecessary, as well as unwise, to provoke a hasty decision of the Diet on a question which would be in no way affected if deferred until the popular passions and excitement had somewhat abated.

I then inquired of his Excellency what course would be pursued if the Diet should declare in favour of Prince Frederick of Augustenburg, and what course those States who supported his claims would take in the event of an adverse decision. His Excellency replied that if the Diet declared in favour of Prince Frederick of Augustenburg it would have to provide the necessary means for his installation. He could not admit that the two great German Powers, if they should be in the minority, could oppose the execution of a Federal Decree.

If, on the other hand, the Diet should declare against the rights of Prince Frederick, then the Ministry must submit to the Federal decision, and the question would be at rest. In his opinion the authority of the Diet must be upheld if the Confederation is not to become a mere phantom.

I have learnt from other quarters that the language of Baron Beust during his stay here was very decided and energetic. He stated that the Schleswig-Holstein question admitted of no discussion; that there was an absolute necessity for the several Governments to go with the popular movement, or to be borne down by it. He considers that if Austria and Prussia should be outvoted in the Diet, and be still unwilling or unable as European Powers to act against the Treaty of London, yet that they may passively permit the Germanic Confederation to enforce the decrees of the Diet, and by withdrawing their troops, escape any entanglement with the European Powers. He further confidently expects that if the Diet should declare in favour of Prince Frederick (of which he entertained no doubt), and should energetically proceed to enforce its decision

with the physical means at its command, such will be the force of public opinion in Germany, and more especially in Prussia, that no Ministry either at Berlin or at Vienna could resist the pressure which would be put upon them.

My informant also states that the King of Bavaria partakes of the views of Baron Beust, and that as a first measure a proposal will be submitted to the Diet by Bavaria to hasten their decision on the question of the Succession to the Duchy of Holstein.

The effect of the visit of Baron Beust here has been to give a fresh impulse to the supporters of Prince Frederick of Augustenburg, and to encourage a more decided action with the popular movement.

On this question, the greatest influence is exercised over the King by M. von der Pfordten, General von der Tann, and M. Wendland (who has just returned to his post at Paris).

No. 577.

Lord A: Loftus to Earl Russell.—(*Received January* 4, 1864.)

(Extract.) *Munich, December* 29, 1863.

SUBSEQUENT to my conversation with Baron Schrenk on the visit of Baron Beust to Munich, and the motives of it, as reported in my despatch of the 23rd instant, I learnt that during the stay of Baron Beust, and I believe at his suggestion, it was agreed between the Bavarian and Saxon Ministers that, in the event of the Diet declaring in favour of the rights of Prince Frederick of Augustenburg to the Duchy of Holstein, a formal Resolution should be conjointly submitted by Bavaria and Saxony to the Diet, proposing to change the Federal Execution in the Duchies of Holstein and Lauenburg into a Federal occupation, with the view of carrying into effect the decision of the Diet, and of installing Prince Frederick as the lawful Duke of Holstein.

It appeared to me that this was the natural and logical consequence of a decision of the Diet in favour of Prince Frederick, for which decision Baron Schrenk confessed his impatience, and which he likewise firmly believed would be given in favour of Prince Frederick; for it is clear that the moment the right of Sucession to the Duchy has been declared by the Diet to be in favour of Prince Frederick, the motive for an Execution against the King of Denmark would cease to exist.

The object which has apparently induced the Bavarian and Saxon Governments to take this precipitate course is to prevent the possibility of arrangements being effected with the co-operation of Austria and Prussia in the sense of the Treaty of London. They consider that both Prussia and Austria are still wavering between their adhesion to the engagements of that Treaty and their duties to the German Confederation. They appear to be of opinion that neither of the great German Powers will wish to risk their popularity in Germany by a steadfast opposition to the national will; and they further entertain some suspicion that at an early moment one of the great German Powers will seek to outstrip the other by placing itself at the head of the popular movement.

I may further observe to your Lordship that Baron Beust (from the language he held here) seems fully persuaded that a change of policy on the Schleswig-Holstein question is imminent in Prussia, and that a change of policy will likewise bring about a change of Ministry. He calculates, therefore, that a decided action on the part of the Diet, supported by the public opinion of Germany, will force Prussia to abandon her present attitude, and to place herself at the head of the popular movement.

The German nation, though not ambitious of aggression, feels that some military action is required to gain for it the respect of Europe, and it sees with humiliation that for twelve years its grievances against Denmark have remained unredressed.

It is this feeling which pervades all classes, and which forces the Governments of all the minor States to seek the lead and direction of a popular movement which, if disregarded and unheeded, will inevitably, sooner or later, be directed against themselves.

No. 578.

Lord A. Loftus to Earl Russell.—(Received January 4, 1864.)

My Lord, *Munich, December 29, 1863.*

I HAVE had the honour to receive your Lordship's telegram inquiring whether it was contemplated by Germany to assist Prince Frederick of Augustenburg to get possession of Schleswig.

Since its receipt I have not been able to see Baron Schrenk, the only source from which I could have obtained the necessary official information.

I may, however, inform your Lordship that the question of Succession as now pending before the Diet refers only to that of the Duchy of Holstein; and the decision of the Diet, therefore, if in favour of the rights of Prince Frederick, would only confer on him that Duchy.

I have reason to believe, however, that there is at present no intention on the part of the several Governments favourable to the cause of Prince Frederick to extend their action to Schleswig, further than to insist on the fulfilment by Denmark of the engagements taken by the late King in 1851-52. But the course which will be pursued is very clear. When the Duchy of Holstein shall be in the possession of Prince Frederick, it is probable that his Government will then, irrespectively of the Diet and of Germany, seek to gain possession of Schleswig, and that although every indirect aid and assistance will be given by Germany, such, for instance, as the enlistment, on German soil, of volunteers, and collections in favour of the cause, no direct part will be taken, either by the Diet or the German Governments, in the struggle.

In short, I believe that Prince Frederick, having gained Holstein by the aid and assistance of the Diet, will seek to acquire Schleswig by revolution and the force of arms.

Your Lordship is aware that the cry of the German nation is for the entire separation of the Duchies of Schleswig and Holstein from Danish rule.

If war should unhappily arise between Denmark and Germany on the question of Holstein, the German Governments, under the impulse of popular agitation, will, it may be feared, find it difficult to confine their military action to the Duchy of Holstein, and consequently, should a conflict arise, I consider that the position and safety of Schleswig will be seriously menaced, unless the European Powers should previously declare that they would consider the crossing of the Eider as a *casus belli*.

The separation of Schleswig from Denmark would be the annihilation of the Danish monarchy.

The maritime position of Schleswig is of European importance, as it commands the port of Kiel, and this I believe to be one of the chief reasons why its possession is coveted by Germany.

Before this despatch is placed in your Lordship's hands, I shall have see aron Schrenk, and shall be enabled to reply by telegraph to your Lordship's inquiry with more accuracy.

I have, &c.

(Signed) AUGUSTUS LOFTUS.

No. 579.

*Earl Russell to Sir A. Malet.**

Sir, *Foreign Office, December 31, 1863.*

THE events which have taken place since the death of the late King of Denmark have given Her Majesty's Government the deepest concern.

At first, indeed, appearances bore a promising aspect. The Successor of Frederick VII was generally acknowledged no less in Holstein, Lauenburg and Schleswig than in the Kingdom of Denmark. Some of the judges and professors in Holstein indeed refused the oath of allegiance, but tranquillity and obedience universally prevailed. This internal acquiescence was followed by recognition by France, Great Britain, Russia, and Sweden.

In Germany, however, a very different spirit prevailed. Some of the Sovereigns and States who had acceded to the Treaty of London were among the most

* Similar despatches were addressed to Lord Cowley, Lord Bloomfield, Sir A. Buchanan, Lord A. Loftus, Mr. Murray, Mr. Gordon, Lord Napier, and Mr. Jerningham.

forward in abetting the claims of the Prince of Augustenburg to succeed to the Sovereignty of the Duchies of Holstein and Schleswig.

The two Great Powers of Germany, Austria and Prussia, pursued a more moderate course. They did not entirely repudiate the title of Christian IX to succeed to all the dominions of Frederick VII in accordance with the provisions of the Treaty of London. But they made their recognition of his title so to succeed dependent on the fulfilment by the King of engagements taken by his predecessor in 1851-52.

Her Majesty's Government could not assent to either of the views here described. They could not admit any claim of the Prince of Augustenburg in contradiction to the engagements Her Majesty had contracted by the Treaty of London of 1852. They considered that the King of Denmark was bound to fulfil the engagements of 1851-52; but they did not consider that his title to the Crown was dependent in any way on the fulfilment of those engagements.

Her Majesty's Government, therefore, while they readily acknowledged the Succession of Christian IX, urged upon him, in conjunction with France and Russia, the performance of all the engagements of his Crown towards Germany.

They could not doubt the disposition of the King to fulfil, as far as it was possible, those engagements. He was born a German Prince, and his natural inclination to treat his German with the same liberality as his Danish subjects could not be called in question. Whatever cause of complaint may have thus arisen from the Danish partialities of the Ministers of the late King, it was thought that those causes would in all probability be removed by the equal treatment and the impartial conduct of the new Sovereign.

Unfortunately, two obstacles were interposed to such an arrangement as the lovers of peace would have desired. The one was the Constitution of Denmark-Schleswig, voted in November last by the Rigsraad at Copenhagen; the other the disposition of Germany.

The new Constitution of Denmark appears to Her Majesty's Government to amount to an incorporation of Schleswig, and, as such, to be at variance with the engagements of the Crown of Denmark.

Indeed, the defence of the Danish Ministers on this point is very unsatisfactory. But the arguments urged by M. Hall on the second point, namely, the present disposition of Germany, are very weighty.

His arguments may be put thus:—Denmark has revoked the Royal Patent of last March for Holstein; she has submitted peaceably to the Federal Execution in Holstein, although she considers it without justification in Federal law. She is now asked to revoke the Constitution recently made for Denmark and Schleswig. But what security can she have that this will be the last concession demanded from her? Already a new Constitution for Schleswig and a common Constitution for the Monarchy are shadowed forth as the grounds on which new demands and fresh requirements are hereafter to be founded. When can Denmark hope for repose from these incessant claims? If her independence is to be maintained, she had better resist now than consent to be weakened by constant but unavailing concessions.

Although, in the opinion of Her Majesty's Government, M. Hall took his stand on a wrong point, yet in his general reasoning there is much truth. Denmark has a right to know the limits of the demands of Germany, and to be able to bring to a close this long and wearisome dispute.

Whether Denmark has for eleven years evaded her obligations, or whether Germany has during the same time harassed Denmark with untenable and impracticable demands, it is time that an end should be put to this controversy.

The Powers who signed the Treaty of London are; with the Diet of Frankfort, the Powers who are best qualified to fix the terms and conditions of a final arrangement.

Her Majesty's Government therefore ask, in the interests of peace—

1. That a Conference of the Powers who signed the Treaty of London, together with a Minister of the German Diet, should sit in London or in Paris, to treat of the differences between Germany and Denmark.

2. That until such Conference shall have finished its labours the *status quo* shall be maintained.

Thus much Her Majesty's Government consider themselves entitled to ask in behalf of the peace of Europe. They are not interested for Denmark otherwise than as one of the independent Monarchies of Europe; but they are interested for

European peace. They therefore entreat the Sovereigns and their Cabinets to consider how difficult it may be to compose differences once delivered over to the bloody arbitrament of war. Who shall say how far such a war may extend; what aspirations it may excite; what regions may be visited by its devastations.

It matters comparatively little in itself whether a Prince of the House of Glücksburg or a Prince of the House of Augustenburg should reign in Holstein or in Schleswig. Under either Prince the liberties and privileges of his subjects may be adequately secured. But it matters much that the faith of Treaties should be maintained, that right and possession should be respected, and that the flames of war should not be spread over Europe by questions which a calm and timely exercise of justice and reason might bring to a peaceful solution.

You may give a copy of this despatch to the President of the Diet.

I am, &c.

(Signed) RUSSELL.

No. 580.

Lord Bloomfield to Earl Russell.—(Received January 4, 1864.)

(Extract.) *Vienna, December 31, 1863.*

THE French Ambassador communicated yesterday to Count Rechberg the reasons of his Government for declining to have a Conference held at Paris on the Danish question, which appear to be that, as those Powers, who had declared their readiness to meet in Congress, would not be called on to take part in the Conference; the French Government considered it would be uncourteous toward them to invite the attendance of certain Powers to the exclusion of those who had already agreed to the project.

His Excellency hopes Her Majesty's Government will be disposed to make the necessary invitations to the Powers concerned to meet in Conference in London. It is further his opinion that the sooner this can be done the better, for he considers it desirable that a moment should not be lost in endeavouring to concert measures amongst the Great Powers that will tend to prevent the further complication of a question in which the small States of Germany seem resolved to pursue a course that is leading to revolution.

No. 581.

Lord Bloomfield to Earl Russell.—(Received January 4, 1864.)

My Lord, *Vienna, December 31, 1863.*

THE French Ambassador made to-day a verbal communication to Count Rechb on the presence of the Prince of Augustenburg at Kiel, and has spoken of the stipulations of the Treaty of London, and the regulation as to the Succession.

Count Rechberg observed to the Duc de Gramont, in reply, that he had telegraphed to Frankfort, and to all the German Governments on the subject; that he deprecated most strongly this proceeding of the Prince of Augustenburg, and the apathy of the Saxon Commissioner and General in the matter; that he had only received an answer from Berlin, but that the opinions of Austria and Prussia are the same, and that they will call on the Diet of Frankfort to take measures to stop the proceedings of the Prince of Augustenburg in Holstein, the tendency of which is to subvert order and the authority of responsible Government.

I asked Count Rechberg if the Diet refused to follow the suggestion from Vienna and Berlin, what would he then do? He replied "We must get the Prince of Augustenburg removed by force if he will not yield to a summons to quit the Duchy."

I have, &c.

(Signed) BLOOMFIELD.

No. 582.

Lord Bloomfield to Earl Russell.—(Received January 4, 1864.)

(Extract.) *Vienna, December 31, 1863.*

COUNT RECHBERG regrets as much as Her Majesty's Government can do, the revolutionary movements in Germany, and the spirit by which they are dictated. The

influence of Austria, he says, is directed to allay them and will continue to be so. The difficulties are almost incalculable at this moment, but he places full reliance on the means which Her Majesty's Government possess of carrying out this work of conciliation.

His Excellency alluded to the late communication of the Treaty of London of the 8th of May, 1852, and to the observations made to the Diet by Her Majesty's Minister at Frankfort on this occasion, and he seemed less alarmed at the consequences it might produce in Germany. He no longer seemed to anticipate that danger might result, but he still expects the communication will produce great irritation in Germany.

We then had some conversation on the propositions which have been submitted to the Diet on the one side by Austria and Prussia, and on the other by Hesse-Darmstadt, supported by other States, respecting a summons to be addressed to Denmark, calling on the Government of that country not to put the Constitution of the 18th November in force as regards Schleswig, and proposing that in case of refusal means should be resorted to occupy that Duchy, and obtain due security for the observance by Denmark of her engagements towards Germany.

I told Count Rechberg that this proposition might have serious consequences; the Danes were not likely to evacuate the Duchy of Schleswig as peaceably as they had retired from Holstein, and we should at once be arriving at the point where the question ceased to be a purely German one, and became one of European importance.

Count Rechberg endeavoured to explain that he well knew the gravity of the communication, but that Austria and Prussia had been constrained to make this proposition to the Diet in order to try and neutralize the resolution that was to be submitted from another quarter, by which if carried—and he did not feel certain that it might not be so, in spite of the opposition of Austria and Prussia, and all the weight they could bring to bear against its adoption—the Diet would be still more gravely compromised as to Schleswig than if the Austrian and Prussian proposal obtained the majority.

He wished me to believe that Austria had no other object in view in making this proposal than to carry into execution a resolution of a less obnoxious character than that which was now being pressed by the smaller States. He seemed to regret the necessity in which Austria and Prussia had been placed, and to be persuaded that the proceeding was warranted by the circumstances.

No. 583.

Lord Bloomfield to Earl Russell.—(*Received January* 4, 1864.)

(Extract.) *Vienna, December* 31, 1863.

COUNT RECHBERG fully appreciates the efforts which are being made by Her Majesty's Government to come to an understanding respecting the Danish question; and, on his part; he does all in his power to restrain the German Diet and the Governments of the smaller States from the hasty adoption of resolutions which can only tend to a complication of the affairs of Europe.

No. 584.

Lord Bloomfield to Earl Russell.—(*Received January* 4, 1864.)

(Extract.) *Vienna, December* 31, 1863.

COUNT RECHBERG declared that nobody can regret more than he does the turn which the Danish affair appears to be taking; nothing could be further from the wishes and interests of Austria than to raise the question of nationalities, and Her Majesty's Government may be assured that so far as it can depend on the Imperial Government, every revolutionary appeal in this sense will be discountenanced.

The interests of Germany in Schleswig and in Holstein had raised the present movement, and it could not but be admitted that the disregard by Denmark during so many years of the demands of Germany fully justified the measure of Execution that had been ordered by the Diet. But he begged Her Majesty's Government to be assured that his best efforts are being made to prevent the present complications from increasing; he deplores the projects of aggression which exist with some of the smaller States of Germany, and he must avow his inability at this moment to stop the progress of these ideas, but he will continue to exert the influence of Austria in seeking to restrain the exaggerated feelings which now prevail throughout the length and breadth of the land.

No. 585.

Lord Napier to Earl Russell.—(Received January 4, 1864.)

(Extract.) *St. Petersburgh, December 28, 1863.*

I INFORMED Prince Gortchakoff this afternoon that your Lordship was not disposed to press for a Conference at Paris on the Danish question, the French Government being itself indisposed to accept that overture.

The Vice-Chancellor stated in reply that he understood that the Governments of Austria and Prussia were no longer so favourable to the proposal referred to, and were disposed to attach conditions to it which might render it inoperative. He apprehended that circumstances were not propitious. The project must stand over for the present.

Some desultory conversation ensued, during which the Vice-Chancellor informed me that he understood the Austrian Government was inclined to carry the Federal Execution or occupation over the frontier of Schleswig.

No. 586.

Sir A. Malet to Earl Russell.—(Received January 4, 1864.)

My Lord, *Frankfort, December 29, 1863.*

THE Diet held an extraordinary sitting yesterday. I have the honour report that the note I presented on the 27th instant, copy of which is annexed to my despatch of yesterday's date, was laid before the Assembly and referred to the Committee on Holstein affairs, without discussion.

I further learn that a joint proposition was made by Austria and Prussia, to the effect that the Diet should demand the immediate and unconditional repeal of the common Constitution for Denmark and Schleswig, which this proposition declares to be a virtual incorporation of that Duchy in the kingdom. I am told that the extension of the Execution to Schleswig is threatened in this document, unless Denmark fulfils all the engagements contracted in 1851-52.

The Hesse-Darmstadt Government made a proposition somewhat in the same sense, but more stringent in terms, and pressing, as I am assured, for the immediate occupation of Schleswig. Both propositions were referred to the Committee.

I have, &c.
(Signed) A. MALET.

No. 587.

Sir A. Malet to Earl Russell.—(Received January 4, 1864.)

My Lord, *Frankfort, December 30, 1863.*

WITH reference to my despatch of yesterday's date, I have the honour to annex an extract from the "Europe," with the text and translation of the joint Austrian and Prussian proposition made in the sitting of the Diet held on Monday.

Your Lordship will perceive that this proposition goes even farther than my information led me to report yesterday, and contemplates the eventual occupation of Schleswig.

It is very difficult to pronounce whether this is a measure devised by the Austrian and Prussian Governments in the interest of peace, or whether it is a direct provocation to resistance against foreign encroachment by the Danish Government.

On the one hand, it may be that these two Powers wish to prevent any irregular and revolutionary movement in Schleswig by the presence of their troops; on the other hand, the step may be regarded as taken in deference to the nearly universal popular cry in Germany which insists on the inseparable nature of the connection between the two Duchies.

It is very certain that although the Civil Commissioners, who are taking possession of the Holstein Government in the name of the Diet, have published declarations that they profess to uphold the existing authorities, at any rate till the question of Succession is decided by the Diet, they do not appear to have in any degree checked the demonstrations made in favour of Prince Frederick of Augustenburg, or to have prevented the forcible expulsion of the few authorities who maintained their fidelity to the King of Denmark; and such laxity is little calculated to inspire confidence.

I have, &c.
(Signed) A. MALET.

Inclosure in No. 587.

Extract from the "Europe."

LA MOTION AUSTRO-PRUSSIENNE FAITE AU SEIN DE LA DIETE GERMANIQUE RELATIVEMENT AU SLESVIG.—Déjà par sa Résolution du 9 Juillet de cette année, la haute Assemblée Fédérale a constaté que le Gouvernement Royal Danois, au moyen de la Proclamation du Mars 1863, a agi contrairement à l'obligation qu'il a contractée de ne point incorporer le Duché de Slesvig au Royaume de Danemark proprement dit et de n'entreprendre aucune démarche tendant à ce but. L'Assemblée Fédérale s'est réservée, pour le cas où le Danemark persisterait dans cette violation du droit, de recourir à tous les moyens propres à faire valoir les droits qui reviennent à la Confédération, en ce qui concerne le Slesvig, en vertu d'un arrangement basé sur le droit des gens.

La Cour de Copenhague a abrogé, il est vrai, la dite Ordonnance. Mais cela n'a eu lieu qu'après que cette Ordonnance eut atteint son but et qu'une nouvelle Loi Fondamentale eut été promulgée pour le Danemark et le Slesvig, laquelle loi équivaut ventuellement à une incorporation du Duché au Royaume. Cette Loi Fondamentale a été sanctionnée le 18 Novembre par le Roi de Danemark, quoique les Puissances Allemandes lui eussent énergiquement déconseillé cette démarche, et une Loi Electorale conforme à la teneur de la Loi Fondamentale vient d'être promulguée dans le Slesvig, et le 1 Janvier, 1864, est fixé pour la mise en vigueur de cette nouvelle Constitution.

De l'avis des très hauts Gouvernements d'Autriche et de Prusse, le Gouvernement Royal Danois, par cette démarche illégale; force la Confédération Germanique de se servir, conformément à la réserve mentionnée plus haut, des moyens dont elle dispose pour faire valoir convenablement les droits qui lui reviennent aussi relativement au Slesvig, vis-à-vis de la Couronne de Danemark, c'est-à-dire, en vertu du droit international.

En conséquence, l'Autriche et la Prusse proposent:—

"Plaise à la haute Assemblée Fédérale sommer le Gouvernement Royal Danois de ne point mettre en vigueur, relativement au Duché de Slesvig, la Loi Fondamentale du 18 Novembre de cette année, mais d'abroger définitivement cette loi, et plaise à la Diète déclarer, en exprimant ce désir, qu'en cas de refus de la part du Danemark, la Confédération Germanique, dans le sentiment de son droit et de sa dignité, serait obligée de prendre les mesures nécessaires pour se procurer, au moyen de l'occupation militaire du Duché de Slesvig, un gage en vue de l'accomplissement de ses vœux légitimes.

"Il va sans dire que l'adoption de la motion précitée ne saurait porter préjudice à la réserve formulée, à l'occasion du vote du 7 Décembre de la Diète Germanique, relativement à l'examen normal de la question de Succession.

"Les Envoyés d'Autriche et de Prusse sont chargés de présenter finalement cette motion:—

"Plaise à la haute Assemblée Fédérale charger la Commission Militaire de proposer immédiatement les mesures nécessaires à l'effet de porter au chiffre voulu l'effectif des forces qui devront être mises au service de la Confédération pour l'occupation éventuelle du Duché de Slesvig."

(Translation.)

THE AUSTRO-PRUSSIAN MOTION MADE IN THE GERMANIC DIET RELATIVE TO SCHLESWIG.—By its Resolution of the 9th July of this year, the high Federal Assembly has already asserted that the Royal Danish Government, by the Proclamation of the 30th March,

1863, has acted contrary to the obligation which it has contracted not to incorporate the Duchy of Schleswig with the Kingdom of Denmark, properly so called, and to take no step tending to that end. The Federal Assembly has reserved to itself, in case Denmark should persist in that violation of law, to have recourse to all the means proper for asserting the rights which belong to the Confederation, as far as concerns Schleswig, in virtue of an arrangement based on international law.

The Court of Copenhagen has, it is true, abrogated the said Ordinance. But this has only taken place after that Ordinance had attained its end and a new Fundamental Law had been promulgated for Denmark and Schleswig, which law is virtually equivalent to an incorporation of the Duchy in the kingdom. That Fundamental Law was sanctioned on the 18th of November by the King of Denmark, although the German Powers had energetically dissuaded him from this step, and an electoral law in conformity with the tenor of the Fundamental Law has just been promulgated in Schleswig, and the 1st of January, 1864, is the date fixed for putting in force this new Constitution.

According to the opinion of the Governments of Austria and Prussia, the Royal Danish Government, by this illegal course, forces the Germanic Confederation to employ, in conformity with the reserve mentioned above, the means which are at its disposal in order properly to assert the rights which belong to it relatively to Holstein, as towards the Crown of Denmark, that is to say, in virtue of international law.

In consequence Austria and Prussia propose:—

That the high Federal Assembly be pleased to summon the Royal Danish Government not to put in force, as regards the Duchy of Schleswig, the Fundamental Law of the 18th November of that year, but to abrogate that law definitively, and that the Diet be pleased to declare, while expressing that desire, that in case of refusal on the part of Denmark, the Germanic Confederation, with a view to its right and dignity, will be obliged to take the measures necessary for procuring by means of the military occupation of the Duchy of Schleswig, a guarantee for the accomplishment of its legitimate desires.

It need not be said that the adoption of the aforesaid motion can in no way prejudice the reserve made on the occasion of the vote of the 7th December of the Germanic Diet, with regard to the normal examination of the question of Succession.

The Envoys of Austria and Prussia are instructed lastly to present this motion:—

That the high Federal Assembly be pleased to instruct the Military Commission immediately to propose the necessary measures for the purpose of raising to the proper number the effective forces which should be placed at the service of the Confederation for the eventual occupation of the Duchy of Schleswig.

No. 588.

Sir A. Malet to Earl Russell.—(*Received January* 4.)

(Extract.) *Frankfort, January* 1, 1864.

I LEARN that in the Diet's sitting, held yesterday, the Baden Minister handed in a document from Duke Christian of Augustenburg, purporting to be an eventual resignation of his rights as Duke of Schleswig-Holstein in favour of His Highness' second son, Prince Henry Charles, in case of anything happening to Prince Frederick.

I have also learnt that Prince Frederick, of whose presence in the Duchy of Holstein your Lordship has no doubt had official accounts, has intimated to General Hake, the Commander of the Federal troops in the Duchies, that it is not his intention to remain more than three days on the Ducal territory.

This notification, if I am rightly informed, was made from Kiel on the 29th instant, and according thereto the Prince ought already to be beyond the frontier.

It may not be out of place here to inform your Lordship, in relation to the proceedings of Prince Frederick, that a letter he addressed to the Emperor of the French, soliciting His Imperial Majesty's support, together with the Emperor's reply, have been published in most of the German papers.

No. 589.

*Earl Russell to Lord Bloomfield.**

(Extract.) *Foreign Office, January* 4, 1864.

IN consequence of the reception of the Prince of Augustenburg at Kiel, and the rejection of the Austrian and Prussian motion in the Diet, Her Majesty's Government are of opinion that Austria and Prussia should withdraw the proposal they have made for the invasion and occupation of Schleswig. Such a measure would evidently become a means for eventually placing the Prince of Augustenburg in military possession of Schleswig, and would thus compromise the honour of Austria and Prussia, whom Her Majesty's Government believe to have no such object in view.

It is the intention of Her Majesty's Government to submit to the Governments of France, Russia, and Sweden a proposal for a Conference to be held in London on the differences between Germany and Denmark; and if these Powers should agree, Her Majesty's Government will propose to the Diet the immediate suspension of hostilities, and the *status quo* in Holstein as regards military arrangements.

No. 590.

Sir A. Malet to Earl Russell.—(Received January 6.)

My Lord, *Frankfort, January* 1, 1864.

IT has come to my knowledge that in the sitting of the Diet held yesterday, a confidential report was made to the Assembly from General Hake, commanding the Corps of Execution in Holstein, to the effect that efforts were made to tamper with the troops under his command, with the view of inducing them to force a collision with the Danish forces, and openly to support the rights of Prince Frederick of Augustenburg as Duke of Schleswig-Holstein.

It would appear that no opposition has been made to local demonstrations in Holstein in favour of Prince Frederick, or to his being proclaimed as Duke, wherever the Federal troops have replaced the Danes, and it may be doubted whether the Commanders of the Saxon and Hanoverian Contingents employed in the Duchies could rely on their men, even if they were desirous of repressing any such manifestations.

I have, &c.

(Signed). A. MALET.

No. 591.

Sir A. Malet to Earl Russell.—(Received January 4, 1864.)

My Lord, *Frankfort, January* 2, 1864.

IN all the questions before the Diet bearing on the affairs of Schleswig-Holstein, there is a prospect of the two chief German Powers being outvoted in the more moderate policy they advocate, by the unanimity of the secondary and minor States.

These small Governments incur a great future danger to gratify the passion of the moment, and escape from present risk, for it is not to be presumed that Austria and Prussia are to be coerced without hereafter resenting the pressure, or that they will willingly submit to having their European obligations made secondary to those they owe to the Confederation.

This, however, is the course which Austria at least, through Count Rechberg's voice, declares herself ready to take.

Prussia's policy is rather more doubtful as regards compliance with the decisions of the Diet's majority; but such is the temper of the Prussian people, that if the Government is sincere in its wish to avoid an open breach with Denmark, there seems every likelihood of the present Cabinet having to make way for men who will not hesitate to follow the popular cry against Denmark.

It is to be expected that in the Succession question the Diet will pronounce in favour of Prince Frederick of Augustenburg, as Duke of Schleswig-Holstein and that they will also decide on taking measures to put him in possession, and that the existing Execution will become occupation in virtue of a formal Dietal Decree.

* A similar despatch was addressed to Sir A. Buchanan.

The proposition of Austria and Prussia, reported in my despatch of the 30th ultimo, to take possession of Schleswig as a pledge for the fulfilment of Denmark's engagements of 1851-52, will, it is hardly to be doubted, be unanimously voted by the Diet; but I learn that there is so much doubt of the sincerity of the move on the part of the two Governments bringing forward the measure, that it will be proposed to add a Bavarian corps to the troops intended for the occupation.

It is not easy to see what assurances can be given to Denmark, in case this proposed measure is executed, to induce her not to offer resistance; and, at the same time, it is clear that all opposition that kingdom could offer must be crushed by the force that can be employed by Germany if Denmark has to fight unassisted.

As regards the answer that may be in preparation to the note I handed to the President on the 27th December, copy of which is annexed to my despatch of the 28th ultimo, I am as yet without any precise information, but I am informed that there is one member of the Assembly who has exercised a preponderating influence throughout this question, who pretends to make light of the prospect of serious complications, and who professes to think that English opposition to German aspirations and claims in this matter cannot be much to be apprehended.

I have, &c.

(Signed) A. MALET.

No. 592.

Lord Wodehouse to Earl Russell.—(*Received January* 4, 1864.)

(Extract.) *Copenhagen, December* 30, 1863.

M. D'EWERS having received instructions by telegraph from his Government to join me in suggesting to the Danish Government that they should propose a Conference upon the differences between Germany and Denmark, we went together this morning to see Bishop Monrad.

M. d' Ewers stated to his Excellency that he was directed to say that if Denmark would propose a Conference to be held at Paris, between the Powers who signed the Treaty of 1852, together with a Representative of the German Diet, Russia would support the proposal, and he pointed out forcibly that in the critical situation of affairs the Danish Government should lose no time in determining what course they should pursue.

At Bishop Monrad's request I repeated what I had said to M. Hall as to a Conference. His Excellency observed that in point of fact M. Hall still held the office of Minister for Foreign Affairs, but that as he had undertaken to form a new Cabinet, he was glad of the opportunity of hearing from us the views of our Government. For his own part, he said, he was disposed to adopt our suggestion as to a Conference, but as the Cabinet was not yet formed (although he had no doubt he should be able very shortly to lay before the King a complete list of a Ministry), he could not at present announce to us any decision. It would especially, he added, be necessary to consult M. Quaade, who had been summoned from Berlin, and who might be expected to arrive at Copenhagen on Friday.

I may mention that on my remarking that the suggestion of a Conference must not be taken to imply that we withdrew from our advice that the Constitution of November 18 should be revoked, Bishop Monrad observed that there could now be no question of revoking the Constitution, as there was no possibility of doing so without recourse to unconstitutional means.

The Bishop concluded by declaring that if the Danes were attacked in Schleswig, they would resist to the last man.

No. 593.

Lord Wodehouse to Earl Russell.—(*Received January* 4, 1864.)

My Lord, *Copenhagen, December* 31, 1863.

I HAVE learnt from M. Vedel, the Under-Secretary for Foreign Affairs, that the information received here from the Danish Minister at Paris is to the effect that the Emperor of the French will not consent to a Conference on the affairs of Denmark unless it is attended by all the Powers of Europe.

In these circumstances it does not seem probable that Denmark will make any proposal for a Conference.

I have, &c.
(Signed) WODEHOUSE.

No. 594.

Sir A. Paget to Earl Russell.—(*Received January* 4, 1864.)

(Extract.) *Copenhagen, December* 31, 1863.

BISHOP MONRAD, who, as your Lordship has been informed by Lord Wodehouse, undertook the formation of a Ministry upon the resignation of M. Hall and his colleagues, has now nearly completed his Cabinet, which for the present will, I believe, be composed as follows:—

Bishop Monrad, President of the Council, and Minister of Finance.
Colonel Lundbye, Minister of War, which office he held under M. Hall.
Captain Lütken, Minister of Marine.
Bishop Engelstoft, Minister of Religion.
M. Cassé, or M. Hage, Minister of Justice.
M. Nutzhorn, Minister of the Interior.

There remains the Ministry for Foreign Affairs, and the Ministry for Schleswig. For the former, Bishop Monrad hopes to obtain the services of M. Quaade, now Danish Minister at Berlin. He has been telegraphed for, and will be here to-morrow morning.

M. Quaade was Under-Secretary at the Foreign Office during M. Bluhme's administration, is moderate and conciliatory in his views. It is very essential that some person in whom His Danish Majesty's Schleswig subjects have confidence should be appointed to the Ministry of that Duchy. Such a person Bishop Monrad was in hopes of having secured, but the proposed arrangement has failed, and M. Simony, who was Minister of Justice in M. Hall's former Government, has consented to undertake the administration of Schleswig till a Minister for that Department is found, which Bishop Monrad hopes will be in a few days.

Although the Finance Department is nominally under Bishop Monrad, its administration will, in fact, be under M. Fenger, the present Finance Minister, in the capacity of Director.

A Ministry formed on the eve of a war can hardly have any other programme than to do the best they are able for the defence of the country. Had more time been allowed by Germany, the new Cabinet would doubtless have made an attempt, at all events, to avert the war. But as the inexorable 1st of January arrives to-morrow, the only course which would now appear to be open to Denmark is to receive the blow impending over her, and await the moment when negotiations for peace may offer some hope of success. In saying this, however, I by no means intend to assert that between the present moment and the actual outbreak of hostilities, the Danish Government may not avail themselves of the suggestion of Her Majesty's Government to propose a Conference on the differences between Denmark and Germany. Bishop Monrad has confirmed to me this morning his personal disposition, of which he had informed Lord Wodehouse, to act in the manner suggested; but he is naturally unable to speak in the name of the Government until he has provided his Cabinet with a Minister for Foreign Affairs.

No. 595.

Sir A. Paget to Earl Russell.—(*Received January* 4, 1864.)

My Lord, *Copenhagen, December* 31, 1863.

I RECEIVED yesterday evening a telegram from the British Vice-Consul at Kiel informing me that Prince Frederick of Augustenburg had arrived in that town, and that his proclamation as Duke was expected.

Thus the final act to the revolution which has been made in Holstein under the auspices of the Federal Commissioners and the Federal Armies has been completed, and the following facts are before us:—

A Federal Execution of somewhat doubtful legality is voted by the Diet; armies to the number of above 50,000 men, including the reserves, are set in motion to carry out the Federal decree; the Commissioners of the Diet, in due and proper form, and

in accordance with custom, announce their object to be to take possession of the Duchy in the name of the Diet, without prejudice to the rights of the Sovereign, which are only temporarily suspended; the King of Denmark, though persuaded that his rights are being unjustly attacked, withdraws his army from Holstein, in order not to precipitate the outbreak of hostilities; the Federal troops enter the Duchy with the bands playing the revolutionary air; the Prince of Augustenburg's colours are allowed everywhere to be displayed, while at the same time the King of Denmark's arms are everywhere removed. Proclamations, it is true, are issued forbidding the Duke of Augustenburg from being proclaimed, but notwithstanding he is everywhere proclaimed, if not with the connivance, at least in the presence of the Commissioners of the Diet and their troops; and to crown the whole, the Pretender himself arrives at Kiel, where, under the protection of the Diet's authority, he is permitted to take up his abode, and, as it was expected, he was to be allowed to declare himself Sovereign.

Such are the proceedings which Europe has now to pronounce upon; whether in short the German Confederation, in the exercise of its arbitrary and uncontrolled power, and under the mask of a legal Federal measure, is with impunity to invade the dominions of a weak Sovereign, foster a revolution amongst his subjects, and, by allowing another claimant to those dominions to install himself as if he were the legal possessor, to set aside a Treaty which all the Great Powers have signed.

I have, &c.
(Signed) A. PAGET.

No. 596.

Sir H. Howard to Earl Russell.—(*Received January* 4, 1864.)

(Extract.) *Hanover, December* 31, 1863.

I REGRET to say that I have reason to apprehend that Count Platen is preparing to beat a retreat from the Treaty of London of the 8th of May, 1852.

On my reminding his Excellency a few days ago of the assurances which he had repeatedly given me that the Hanoverian Government would fulfil their engagements under that Treaty by voting against the claims of the Prince of Augustenburg at the Diet, he did not attempt to deny having given me those assurances, but he stated that nobody was bound to do that which was impossible ("ultra posse nemo obligatur"), and that it would be impossible for him to induce his colleagues in the Ministry to agree to the vote of Hanover being given against the pretensions of the Prince of Augustenburg. He observed, however, that the question was not yet ripe, and he intimated that he might perhaps hit upon some middle course.

I rejoined that if he only showed sufficient firmness I could not help thinking he would be able to carry his point with his colleagues. He said, however, that he had done so once on the question at the Diet of a Federal Execution in Holstein, as opposed to an occupation, but that he should be unable to do so a second time.

Count Platen's account of the dispositions of some of his colleagues has been confirmed to me by conversations which I have had recently with leading members of the Cabinet.

I pointed out that Hanover, by her accession to the Treaty of May 8, 1852, had bound herself not only towards Denmark, but likewise towards Great Britain and the other Powers parties to that Treaty, to recognize the right of Prince Christian of Schleswig-Holstein-Sonderburg-Glücksburg, and of his issue male, &c., to succeed to the whole of the dominions united under the sceptre of His Danish Majesty, and that were she now not to vote against the pretensions of the Prince of Augustenburg she would be guilty of a most flagrant violation of a solemn Treaty and of good faith. I added, however, that I felt convinced that the present Hanoverian Government would be incapable of such a breach of Treaty engagements.

I saw Count Platen on the day following this conversation, and he told me that my observations did not seem to have produced any effect upon Baron Hammerstein. M. Windhorst, on his part, gave me to understand that the Hanoverian Government were desirous of availing themselves of the first opportunity of withdrawing from the Treaty of 1852.

I further regret to say that Count Platen, who has always spoken in favour of the maintenance of the connection of Holstein with Denmark, and even now says it is the combination he should prefer, has lately expressed to me his opinion of the impossibility there is, under existing circumstances, of upholding the Treaty of 1852 as regards that

Duchy. I am also inclined to believe that he considers that the Southern part of Schleswig will likewise have to follow the fate of Holstein, and be detached from Denmark. At the same time he remarks that if the Danish Government had made timely concessions to the feelings of the Duchies, the crisis occasioned by the death of the late King of Denmark would have passed over without entailing any loss of dominions to the Danish Crown.

The only discomfiture which the Germans have hitherto sustained in their aggressive career has been in Lauenburg, where, as your Lordship will be aware, a majority in the States have pronounced themselves in favour of King Christian IX, and have sent a loyal address to His Majesty; but nevertheless the German Press continues to call for the severance of the Duchy from Denmark.

In the midst of the defections from the Royal cause in Holstein the conduct of Baron Scheel-Plessen, the late President of the States, forms a most honourable exception. At the assembly of certain members of those States lately held at Hamburgh, he spoke strongly, as your Lordship will have heard, in favour of the Succession of King Christian, and afterwards left the meeting, accompanied by Baron Blome and several other distinguished members of the States, representing a large amount of property in the Duchy.

No. 597.

Sir H. Howard to Earl Russell.—(*Received January* 4.)

My Lord, *Hanover, January* 1, 1864.

I HAVE the honour to acknowledge the receipt of a copy of a despatch of the 22nd ultimo) addressed by your Lordship to Her Majesty's Minister at Frankfort, respecting the misused terms "London Protocol" and "Protocol Prince."

I beg to say that, anticipating your Lordship's instructions, whenever any persons, official or other, have in conversation with me made use of those terms, I have invariably interrupted them, and requested them to call the Treaty of London of May 8, 1852, by its proper name, and His Majesty King Christian IX by his proper title.

I have, &c.

(Signed) HENRY F. HOWARD.

No. 598.

Sir H. Howard to Earl Russell.—(*Received January* 4.)

My Lord, *Hanover, January* 2, 1864.

PRINCE YSENBURG, the Prussian Minister at this Court, addressed, on the 30th ultimo, to Count Platen a note urging the Hanoverian Government to support at the Diet the Austro-Prussian proposal, brought forward in the sitting of that Body of the 28th, to call upon the Danish Government to withdraw, as regards the Duchy of Schleswig, the Constitution of the 18th of November last, and to declare to them that, in case of their refusing, the Diet would proceed to a military occupation of that Duchy.

Count Ingelheim, the Austrian Minister, has backed this application of his Prussian colleague.

Count Platen has, I understand, stated that he is not yet able to give an answer to the request thus preferred, and that he is unwilling to take any hasty engagement on the subject.

Your Lordship is aware that, in the same sitting of the Diet, Hesse-Darmstadt made a proposal for the immediate occupation of Schleswig, with a view to secure the rights of the Confederation.

Objectionable as the Austro-Prussian proposal is, that of Hesse-Darmstadt appears infinitely more so, as being calculated to bring on immediate war.

I have accordingly expressed to Count Platen, this morning, my hope that Hanover would not vote for it; but his Excellency declined giving me any assurance to that effect, saying that the Hanoverian Government had not yet come to a decision concerning either of the proposals pending before the Diet.

I have, &c.

(Signed) HENRY F. HOWARD.

No. 599.

Sir H. Howard to Earl Russell.—(Received January 4.)

My Lord. *Hanover, January 2, 1864.*

I HAVE strongly urged Count Platen to support at the Diet a proposal which I perceived by the public journals had been made on the part of Her Majesty's Government, in a note addressed on the 27th ultimo to the President of that Assembly by Her Majesty's Minister at Frankfort, for a Conference in which the Powers, parties to the Treaty of the 8th of May, 1852, and the German Confederation should take part, for the settlement of the pending questions.

I have also reminded his Excellency that he had formerly always expressed himself in favour of such a Conference for the arrangement of the international part of the question, viz., the affairs of Schleswig.

In a conversation which I had with his Excellency this morning on the subject, he said that he was not sufficiently informed, as yet, to be able to tell me what course the Hanoverian Government would take in respect to your Lordship's proposal.

He added that he doubted the Diet accepting it, unless the programme of the Conference should be previously stated, and a revision of the Treaty of 1852 be included in it.

I have, &c.
(Signed) HENRY F. HOWARD.

No. 600.

Sir H. Howard to Earl Russell.—(Received January 4.)

My Lord, *Hanover January 2, 1864.*

ON the receipt of your Lordship's telegraphic despatch of this day,* I waited upon Count Platen and brought under his notice the intelligence which your Lordship had received, that the Hanoverian Envoy at Frankfort would act in concert with the Saxon and Bavarian Representatives in respect to the immediate recognition of the Prince of Augustenburg as Duke of Holstein, as well as to his proclamation and establishment in the Duchy by Saxon and Bavarian troops, notwithstanding the retirement or opposition of Austria and Prussia. I asked his Excellency at the same time whether the Hanoverian Government sanctioned this course.

His Excellency replied that he knew nothing whatever concerning the agreements entered into between the Saxon and Bavarian Governments; that the Hanoverian Envoy to the Diet had received no instructions to act with the Saxon and Bavarian Representatives for the objects mentioned by your Lordship; that without such instructions he could not act at all, and that your Lordship must have been misinformed concerning him.

I then urged Count Platen to send instructions to M. de Heinbruck, the Hanoverian Envoy at Frankfort, to vote against the recognition of the Prince of Augustenburg, but his Excellency declined giving me any assurance that he would do so, saying that the question was not coming forward immediately, and that he must see what could be done.

I afterwards asked his Excellency at all events to write to M. de Heinbruck and caution him against committing himself in any manner with the Saxon and Bavarian policy at the Diet. His Excellency, however, replied that this was unnecessary, as M. de Heinbruck could do nothing without instructions from himself.

I take this opportunity of reporting that the Schleswig-Holstein Committee here has convoked a meeting to be held at Hanover on the 10th instant of persons from all parts of the kingdom, for the purpose of getting up a powerful demonstration in favour of the recognition of the Prince of Augustenburg as Duke of Schleswig and Holstein, and of exercising a pressure upon the Government on this point.

I have, &c.
(Signed) HENRY F. HOWARD.

No. 601.

Sir H. Howard to Earl Russell.—(Received January 4.)

My Lord, *Hanover, January 2, 1864.*

I HAD no sooner received your Lordship's telegraphic despatch of this date† stating that your Lordship understood that Austria and Prussia would march

* No. 568. † No. 567.

troops into Holstein and take the conduct of affairs into their own hands, if the Diet did not insist on the Prince of Augustenburg quitting Holstein, than I called upon Count Platen and inquired of him what Hanover would do in that case.

His Excellency replied that he was unacquainted with the intentions of Austria and Prussia on this point, and that it was quite impossible for him at the present moment to say what Hanover would do in such a contingency.

Your Lordship will be aware that the Federal Commissioners in Holstein have applied to the Diet for instructions concerning the Prince of Augustenburg.

Count Platen informed me that he had written to the Hanoverian Envoy at Frankfort, who is a member of the Committee by whom these instructions will be given, to say that he is of opinion that the Commissioners should be informed that as long as the Prince abstained from interfering with the Government of Holstein he could not be prevented from remaining in the Duchy as a private individual, but that it should be submitted to him not to increase by his presence the difficulties of the Commissioners.

I urged his Excellency to go a step further, and move at Frankfort that the Commissioners should be instructed to see to the removal of the Prince from Holstein. His Excellency replied that he could not in any case recommend the employment of force for that object.

I should remark that I had already called his Excellency's attention to the conduct of the Federal Commissioners in allowing the Prince to enter Holstein, receive addresses and deputations, and issue proclamations.

I saw Count Platen again this evening, and asked him whether the Austrian Minister had not made any communication to him of the nature referred to by your Lordship on the question of the Prince of Augustenburg remaining in Holstein. His Excellency said that all Count Ingelheim had stated to him was that the Austrian Government would not take the responsibility of permitting the Prince to do so.

I again called Count Platen's attention to the serious consequences likely to ensue to the peace of Europe should the German Diet attempt, under whatever pretext, an occupation of Schleswig.

I have, &c.
(Signed) HENRY F. HOWARD.

No. 602.

Sir A. Buchanan to Earl Russell.—(Received January 4.)

My Lord, *Berlin, January 1, 1864.*

I READ last night to M. de Bismarck your Lordship's despatch of the 28th instant, in which you state that in order to obtain a peaceful settlement of the Danish question two principles should be kept in view, the one that the maintenance of the integrity of the Danish Monarchy as connected with the general interests of the balance of power is of high importance to the preservation of peace; and the other, that the German inhabitants of the States and dominions placed under the sceptre of the King of Denmark should have ample security for just and impartial government both in the institutions established and in the men entrusted by the King with the administration of these institutions.

I also left a copy of your Lordship's despatch with his Excellency. He said he entirely agreed with the opinions expressed in it, but the present state of public feeling in Germany had so greatly increased the difficulties of the question that its only possible solution on the basis of the integrity of the Danish Monarchy would be a complete separation of the two nationalities into two independent States, united under one Sovereign, as in the case of Sweden and Norway. A few years ago such an arrangement would have almost gone beyond the hopes and expectations of Germany, but now it would be reprobated by almost the whole German nation. He would, however, he said, be quite ready to recommend its adoptio when the proper time came.

I have, &c.
(Signed) ANDREW BUCHANAN.

No. 603.

Sir A. Buchanan to Earl Russell.—(*Received January* 4.)

(Extract.) *Berlin, December* 31, 1863.

'WITH reference to your Lordship's telegram of the 25th instant, I called upon M. de Bismarck on the 28th, and said that I had been instructed to ask him, for the information of Her Majesty's Government, where any Treaty or document is to be found which entitles the Diet at Frankfort to decide who shall be the Sovereign of Holstein. His Excellency said that the Diet had no rights on the subject, except such as were derived from Article VI of the Final Act of the Treaty of Vienna, which provides that a cession of the rights of sovereignty attached to a territory of the Confederation cannot take place without the consent of all the members of the Confederation, except in favour of one of the Confederate States. If Her Majesty's Government were therefore to address to the Diet the question which I had put to him, it might cause some embarrassment, and there might be some difficulty in framing a satisfactory answer to it.

The Diet, however, conceived they had a right to support the claims of the Prince of Augustenburg against those of the King of Denmark, and they are supported in that opinion by almost all the Governments and a large majority of the people of Germany. Austria and Prussia may therefore soon have to choose between giving their consent to an invasion of Schleswig or resisting a revolution in Germany.

No. 604.

Sir A. Buchanan to Earl Russell.—(*Received January* 4.)

(Extract.) *Berlin, December* 31, 1863.

THE Danish Minister informed me yesterday that he had received orders to proceed immediately to Copenhagen to confer with the King, and he said he would endeavour before leaving to induce M. de Bismarck to give him an assurance that if the Fundamental Law of the 18th November were abrogated, and the Danish Government agreed to treat with Germany on the basis of the engagements of 1851-52, in the Conferences which it is hoped may be held at Paris, that Germany would not invade Schleswig or put forth any new demands against Denmark.

M. de Quaade left me to wait upon M. de Bismarck for this purpose, and as I had an appointment with his Excellency soon afterwards, I began my interview with him by asking whether he had given M. de Quaade the assurances which he had asked for, observing that I believed M. de Quaade's presence at Copenhagen, if he could speak with confidence of the moderation of the Prussian Government, might greatly promote the cause of peace and that, in reality, all that he had asked was that his Excellency should explain clearly the purport of the proposal which he had made in concert with Austria to the Diet at Fradkfort.

M. de Bismarck replied that he had only been able to give M. de Quaade general assurances as to his own views, and that he could not give a positive promise as to the future without the sanction of the King.

I therefore suggested that he might ask for that sanction, but he replied that as he could not submit to His Majesty any decided opinion as to the course which events might take in a question which is daily influenced by incidents over which he has no control, he did not consider it expedient to recommend His Majesty to enter into any new engagements with respect to it; and he said his principal object, for the present, was to get over the next few days and the 1st of January, when the King is of opinion he will have a right to declare himself released from the obligations of the Treaty of London. But, meanwhile, he said, the moderation of Austria and Prussia has been proved by the proposal which they have laid before the Diet, that Denmark should be called upon to abrogate the Constitution of the 18th of November, and that if she refused, means should be taken to establish the rights of the Confederation in Schleswig. This proposal, M. de Bismarck said, was made on the basis of the maintenance of the integrity of the Danish Monarchy, and some time would also elapse before any military operations could be carried out in conformity with its provisions.

There was, however, a counter resolution proposed by Hesse-Darmstadt which might possibly be adopted by a majority of the Diet, by which it was intended, though it did not expressly say so, that the forces of the Confederation should support the claims of the Prince of Augustenburg in both Duchies; and if the resolution were adopted, a very serious

question would arise as to whether Austria and Prussia were to obey it, or to refuse obedience to it, in deference to the terms of a Treaty, of which the obligations have been contracted subsequently to those which are imposed upon them by the Federal pact. I said it was precisely because the Emperor of Austria and the King of Prussia knew the nature of their obligations to the Confederation, when they signed the Treaty of London, that these observations cannot now be brought forward as a reason for repudiating the Treaty. But M. de Bismarck said, as the King believes that the Treaty has done injustice to the Prince of Augustenburg, the necessity of violating his Federal obligations to maintain it will be extremely repugnant to His Majesty's feelings, and that sentiment will become more intense if the question involves, as is far from impossible, a civil war in Germany; and as a proof that civil war was imminent, his Excellency read a telegram from the Prussian Minister at Munich, expressing his belief that an arrangement had been come to by Bavaria and Saxony to cause the Diet to acknowledge the Prince of Augustenburg as Duke of Schleswig-Holstein, and to support his claims to the sovereignty of the Duchy by the forces of the Confederation; and that it had been further agreed between these two Powers that if Austria and Prussia refused to carry out such a resolution of the Diet, a Bavarian and Saxon army would enter the Duchies for the purpose.

M. de Bismarck said he could not say what the King would do if such an attitude were assumed by Saxony and Bavaria, with the support of the smaller States; but his advice to His Majesty would be, not to yield to their dictation, and to resist them if necessary by force. He felt, however, the King would adopt such a measure with extreme reluctance, and that unless His Majesty foresaw that the course into which the Southern States were endeavouring to drive him would endanger his relations with Great Britain and Russia, he would rather yield to the pressure than draw the sword of Prussia against his Confederates, although it was evident that they were ready to embroil Germany with all Europe in furtherance of their own ambitious views.

In the course of this conversation M. de Bismarck has certainly spoken of the integrity of the Danish Monarchy, but he contemplates nevertheless, I fear, the separation of Holstein from that Monarchy as a possible contingency; and, after the manner in which the Federal Execution has hitherto served as a means of preparing the King of Denmark's Duchy of Holstein for being transferred to another claimant, I cannot believe if a German force under the orders of the Diet at Frankfort should enter Schleswig, and be able to maintain itself there, that it will ever leave it again without the armed interference of the European Powers, until the South of the Duchy at least is united to Holstein, and the port of Kiel is included within the territories of the German Confederation.

No. 605.

Sir A. Buchanan to Earl Russell.—(*Received January* 4.)

My Lord, *Berlin, January* 2, 1864.

I HAVE the honour to transmit herewith to your Lordship a translation by Mr. Morier of the reply of His Majesty the King of Prussia to the Address of the House of Deputies on the Danish question.

I have, &c.

Signed) ANDREW BUCHANAN.

Inclosure in No. 605.

Reply of the King of Prussia to the Address of the House of Deputies.

(Translation.)

I HAVE bestowed upon the contents of the Address which the House of Deputies has presented to me in the Danish question the careful attention which I gladly give to the wishes and views of the House.

Though the first sentence of this Address states that the House of Deputies has already pointed out the path which the honour and interests of Germany require should be adopted, I will nevertheless assume that no encroachment has been intended upon the right of deciding on the relations of the monarchy with reference to foreign countries, which, according to the Constitution and to the laws of the country, belongs to me.

Inseparably bound up with this right is the duty of representing and protecting the interests of Prussia abroad; and I know that in the fulfilment of this duty I can reckon

upon the devotion and fidelity of my people. I also know that I must weigh with the most scrupulous care the question as to when I should call upon my people to make the sacrifice of their blood and treasure.

I would consider it incompatible with my duty as a Sovereign not to bestow my entire activity to those highest tasks of government which *de jure* and according to the Constitution belong to the King.

My House of Deputies can therefore be persuaded that the path along which my Government has led the foreign policy of the country has been the result of my mature decisions. I have come to these decisions bearing in mind the Treaties concluded by Prussia, the general position of Europe and our position towards the latter; but at the same time with the firm determination to defend the rights of Germany in the Duchies, and to stand good, even at the risk of war if need be, for the just objects which Prussia has in view. In what form and to what end the means to carry out the objects are to be employed, can, according to the right of decision which according to the Constitution is my sole prerogative, be determined only by myself. In the choice of means I shall be guided by the fixed determination to direct the question of the Duchies in a manner that shall be worthy of Prussia and Germany, but at the same time with the respect for Treaties which international equity requires. The House of Deputies cannot expect from me that I shall wantonly and without regard to the international relations of Prussia withdraw from the European Treaties concluded in 1852. The question of Succession will be, with my co-operation, tested by the Diet, and I cannot forestall the decision that may be come to on the subject. Before this decision is come to, the question to be considered is the getting the means for the Execution determined upon by the German Diet, and for the defensive measures which, in consequence of this Execution, may become necessary.

The carrying out of the Execution is a duty incumbent upon the State by Law and Treaty, and the dangers which may flow from it should not be encountered without due preparation.

Under these circumstances, the House cannot desire to take upon itself the heavy responsibility of refusing these necessary means, or make their granting of them dependent upon conditions which encroach upon the most undoubted prerogatives of the Crown.

I would be unable to understand that the same House which is pressing my Government to energetic action should, at the moment when my Government is entering on the path of action, be refusing the means necessary to this action.

I would all the less understand such a course that my sentiments and my words are sufficient guarantees that the means afforded me for the protection of the rights and honour of the country will be spent for this purpose. Every doubt upon this subject runs counter to the confidence which the Prussian people is wont to place in the word of their Sovereign.

I must, therefore, whilst warning the House of the earnestness of the occasion, and of the importance of its decision upon the future welfare of the country, call upon it to take into its serious consideratton the demand of the 8th instant; and, in consideration of the irresistible march of events, proceed to a speedy grant of the loan required for the fulfilment of the Federal Decree, and for taking the necessary measures of defence.

Berlin, December 27, 1863.

(Signed) WILLIAM.

(Countersigned) VON BISMARCK.

No. 606.

Sir A. Buchanan to Earl Russell.—(*Received January* 4.)

(Extract.) *Berlin, January* 2, 1864.

I WAITED on M. de Bismarck this morning, and acquainted his Excellency with the substance of your Lordship's telegram of yesterday, in which you state that it is presumed that time will be given to the Danish Government to comply with the summons which Austria and Prussia have proposed should be sent by the German Diet to Copenhagen, to the effect that the new Fundamental Law shall be abrogated, and that means shall be taken to support the rights of the Duchy of Schleswig; and in which your Lordship also states that should it not be intended to allow due time to Denmark to comply with the summons, the invasion of Schleswig by Federal troops might be attended with great danger to the relations of Great Britain and Prussia. But that on the other hand, if such time were allowed, all might end well.

I said that Her Majesty's Government desired the maintenance of peace, and

they believed if Germany would not act hastily it would be preserved. But if the Governments of Germany invaded Schleswig unnecessarily, they would be responsible for a war which might be extended to the whole of Europe. Her Majesty's Government, however, did not say that the invasion of Schleswig would endanger the relations of England and Prussia, but that if such an invasion took place in consequence of the summons about to be addressed to Denmark without due time being allowed her to comply with it, the relations of England and Prussia might be exposed to danger, and I said that as his Excellency had explained to me that some time would be required to make the necessary military preparations for the proposed invasion of Schleswig, I could not understand why there could be any objection to a period being named before which no aggressive measures would be adopted towards Denmark, so as to encourage her to consider whether she might not be able to comply with the demands of Germany before its expiration.

No. 607.

Earl Cowley to Earl Russell.—(*Received January* 4.)

(Extract.) *Paris, January* 3, 1864.

THE Marquis de Banneville, Under-Secretary for the Foreign Department, called upon me yesterday afternoon, by the desire of M. Drouyn de Lhuys, his Excellency being still too unwell to receive me, and I communicated to him your Lordship's despatch of the 31st ultimo,* proposing the immediate assembling of a Conference either in London or at Paris, upon the affairs of the Duchies. I gave M. de Banneville a copy of the despatch in order that he might place it in M. Drouyn de Lhuys' hands.

M. de Banneville having said that M. Drouyn de Lhuys hoped to be able to receive me to-day, I called this afternoon at the Ministry for Foreign Affairs and was admitted. His Excellency said that he had read your Lordship's despatch and that he could only repeat what he had stated to me on the last occasion when I had seen him, that if the French Government could entertain any hope that a Conference would lead to a solution of the Danish question, they would not refuse to appear at one. He continued to think, however, that the admission of a Plenipotentiary on the part of the Confederation was more likely to confuse than to smooth matters, while it would certainly tend to embarrass the Governments of Austria and Prussia.

On the other hand I observed that many of the present difficulties arose from the Germanic Confederation not having taken any official part in the discussions of 1851-52. It would be hardly fair, moreover, that Germany should not be heard for herself before any further decision bearing on the interests of the Confederation should be taken.

M. Drouyn de Lhuys said that he was willing to admit that an arrangement would have greater chance of stability if agreed to by a Plenipotentiary of the Diet.

Reverting again to your Lordship's despatch, I asked M. Drouyn de Lhuys what answer I was to return to it. Might I say that if the other parties invited expressed their assent to the proposal contained in it, France would not withhold hers? His Excellency replied, that he was convinced that a Conference would lead to no practical result, and that matters were too far advanced to be arranged peaceably. I said that was no reason why the attempt should not be made. Let the great Powers have at least the consolation of feeling that no means of preventing war had been left untried.

M. Drouyn de Lhuys finally assented to my giving your Lordship the assurance that if the other parties invited agreed to the proposal of a Conference, France would not refuse, though he must continue to maintain his opinion of its inutility.

I then asked his Excellency whether he continued to desire that Paris should not be the seat of Conferences, and on his replying affirmatively I inquired whether he had any objection to London. None whatever, he answered; but he expressed doubts whether London would be agreeable to the Diet as having been the place where the Treaty of 1852 was signed.

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* No. 579.

No. 608.

*Earl Russell to Mr. Murray.**

Sir, *Foreign Office, January* 4, 1864.

THE most serious consequences are to be apprehended if the German troops invade Schleswig before time has been given for the Powers who signed the Treaty of London to explain their views on the present critical state of affairs. Her Majesty's Government consider the conduct of the Federal troops in Holstein, which has been entirely at variance with the decree of the Diet for Exécution, as most unjustifiable, and they are of opinion that the responsibility of these proceedings must rest with the Governments of Bavaria, Saxony, and Wurtemberg.

I am, &c.
(Signed) RUSSELL.

No. 609.

M. de Beust to Count Vitzthum.—(Communicated to Earl Russell by Count Vitzthum, January 4, 1864.)

M. le Comte, *Dresde, le* 29 *Décembre,* 1863.

M. MURRAY vient de me communiquer une dépêche† de son Gouvernement concernant l'affaire des Duchés de Slesvig-Holstein, et dont vous trouverez ci-joint une copie.

Il vous sera facile de constater que la dépêche de Lord Russell s'attache à combattre une manière d'envisager la validité du Traité de Londres du 8 Mai, 1852, qui n'a jamais été celle du Gouvernement du Roi. Ce n'est pas à nous qu'il appartient de la discuter, et, conséquemment, je pense que M. le Principal Secrétaire d'Etat pour les Affaires Etrangères de Sa Majesté Britannique jugera inutile que nous acceptions le débat sur ce terrain. Le Gouvernement du Roi se trouve simplement en présence d'une question dont la Diète, organe de la Confédération Germanique, a été saisie à la suite du décès de Sa Majesté le Roi Frédéric VII de Danemark. L'Envoyé de feu Sa Majesté près la Confédération a présenté des lettres de créance pour être admis comme Représentant du Roi Chrétien IX en sa prétendue qualité de Duc de Holstein et de Lauenbourg. En même temps le Ministre de Bade a produit des pleins pouvoirs comme mandataire du Prince Héréditaire d'Augustenbourg, faisant valoir des prétensions, à titre d'agnat, sur les dits Duchés. Dans cette occurrence la Diète est appelée à se prononcer.

Le Gouvernment du Roi, pour sa part, fidèle aux principes qu'il a invariablement pratiqués dans des cas analogues, ne saurait prendre d'autre ligne de conduite que le respect du droit.

Après avoir voté à la Diète pour les mesures qui lui semblaient les plus propres à assurer l'exécution pleine et entière de ses décisions, il s'est consciencieusement appliqué à étudier les titres constituant les droits de Succession; ce sera d'après le résultat de cet examen qu'il donnera sa voix.

Quant au Traité du 8 Mai, 1852, il ne sera pas inutile, puisque Lord Russell veut bien nous le rappeler, d'entrer à son sujet dans quelques explications.

Cet Acte, ayant pour objet d'établir un nouvel ordre de Succession dans le Royaume de Danemark, a été accepté et sanctionné par le Reichstag Danois. Mais, pour qu'il devînt légitime et exécutoire pour les Duchés Allemands, il fallait obtenir le consentement des agnats appelés par droit d'hérédité à y succéder, ensuite celui des Etats, et enfin celui de la Confédération Germanique.

Aucune de ces trois conditions n'a été remplie. Par conséquent, la Diète n'a pas besoin de prendre en considération les griefs que depuis nombre d'années elle a à faire valoir à la charge du Danemark, relativement à la violation des engagements contractés par cette Puissance pour arriver à contester au Traité du 8 Mai, 1852, toute espèce d'effet par rapport aux Duchés Allemands.

Le Gouvernement du Roi, invité dans le temps par les signataires du Traité de Londres à y accéder, ne s'est pas refusé à déclarer son assentiment—non pas son accession—à une combinaison laquelle, si le Danemark avait loyalement rempli ses engagements envers l'Allemagne, aurait pu réussir; car, alors, il y aurait eu chance d'obtenir le consentement de tous les intéressés dont l'adhésion était indispensable pour rendre le Traite valide. On n'a pas seulement tenté de s'assurer de ce consentement par la raison qu'en présence

* Similar despatches were addressed to Lord A. Loftus and Mr. Gordon.

† See Correspondence "Denmark and Germany, No. 2," p. 383 (No, 447).

des actes émanés du Gouvernement Danois, et attentatoires aux engagements contractés par lui, on en reconnaissait d'avance l'impossibilité. C'est ainsi qu'on en est arrivé à laisser le Traité incomplet et non-exécutoire dans une partie essentielle, et ce n'est certes pas à la Confédération, ni à ses membres, que les signataires du Traité auront à en faire un reproche.

Le Gouvernement du Roi—le Cabinet Britannique ne saurait l'ignorer—a fait de plus dans le temps la réserve expresse qu'il ne prétendait point anticiper sur les résolutions que la Confédération, par l'organe de la Diète, pourrait être amenée à prendre dans cette question. Cette éventualité, prévue alors, se présente aujourd'hui, et le Gouvernement du Roi use de la liberté qu'il s'est sagement ménagée.

J'ose espérer que cet exposé du véritable état des choses amenera Lord Russell à une appréciation de notre conduite conforme à son esprit bien connu d'équité et de justice. Il suffit, en effet, d'être de bonne foi pour reconnaître que le Gouvernement du Roi n'a pas songé à s'en écarter.

Veuillez, M. le Comte, donner lecture de ma présente dépêche à M. le Principal Secrétaire d'Etat pour les Affaires Etrangères et lui en laisser copie.

(Signé) BEUST.

(Translation.)

M. le Comte, *Dresden, December* 29, 1863.

MR. MURRAY has just communicated to me a despatch from his Government on the subject of the Duchies of Schleswig-Holstein, of which you will find a copy inclosed.

You will readily perceive that Lord Russell in his despatch devotes himself to contesting a manner of regarding the validity of the Treaty of London of May 8, 1852, which has never been that of the King's Government. It is not our province to discuss it, and therefore I fancy Her Britannic Majesty's Principal Secretary of State for Foreign Affairs will deem it unnecessary for us to accept a debate on this topic. The King's Government has simply to do with a question which, in consequence of the death of His Majesty King Frederick VII of Denmark, has come before the Diet, as the organ of the Germanic Confederation. The Envoy of His late Majesty to the Confederation presented letters of credence in order to be admitted as the Representative of King Christian IX in his alleged quality of Duke of Holstein and Lauenburg. At the same time the Baden Minister produced full powers as the nominee of the Hereditary Prince of Augustenburg, who, as an agnate, asserted his pretensions to the said Duchies. In this conjuncture the Diet is called upon to decide.

The King's Government, as far as it is concerned, faithful to the principles which it has invariably practised in similar cases, could take no other line of conduct than that indicated by a respect for right.

After having voted in the Diet for the measures which seemed to it the best calculated to insure the full and complete execution of its decisions, the King's Government conscientiously applied itself to the study of the titles constituting the rights of Succession, and it will vote in accordance with the result of this examination.

With regard to the Treaty of May 8, 1852, it will not be without utility, since Lord Russell is pleased to draw our attention to it, to enter into some explanations concerning it.

That act, which had for its object the establishment of a new order of Succession in the Kingdom of Denmark, was accepted and sanctioned by the Danish Reichstag. But, in order that it might become lawful and obligatory for the German Duchies, it was necessary to obtain first the consent of the agnates who were entitled by hereditary right to the Succession, then that of the States, and lastly that of the Germanic Confederation.

Not one of these three conditions was fulfilled. Consequently the Diet has no need to take into consideration the grievances which since many years it has laid to Denmark's charge, with regard to the violation of the engagements contracted by that Power, in order to deny to the Treaty of May 8, 1852, any kind of effect with respect to the German Duchies.

The King's Government, invited at the time by the Powers who signed the Treaty of London to accede to it, did not refuse to give its assent—not its accession—to a combination which, if Denmark had honestly fulfilled her engagements towards Germany, might have succeeded; for then there would have been some chance of obtaining the consent of all the parties interested, whose adhesion was indispensable in order to render the Treaty valid. No attempt even has been made to obtain this consent, for in presence of the acts which emanated from the Danish Government and were in contravention to the engagements contracted by it, the impossibility of obtaining it was acknowledged beforehand. And it

has thus happened that the Treaty has been left incomplete and invalid in an essential part, but for this the Powers who signed the Treaty can certainly not reproach the Confederation or its members.

The British Cabinet cannot ignore the fact that the King's Government made also the express reservation at the time that it did not pretend to anticipate the resolutions which the Confederation, by the voice of the Diet, might be induced to come to on this question. This eventuality, then foreseen, now presents itself, and the King's Government makes use of the freedom which it had so wisely reserved for itself.

I venture to hope that this exposition of the true position of affairs will lead Lord Russell to an appreciation of our conduct in conformity with his well-known sense of equity and justice. It is only necessary to be oneself of good faith to recognize that the King's Government has not thought of diverging therefrom.

Have the goodness, M. le Comte, to read this despatch to the Principal Secretary of State for Foreign Affairs, and to leave him a copy of it.

(Signed) BEUST.

No. 610.

Lord Napier to Earl Russell.—(*Received January* 4, 1864.)

My Lord, *St. Petersburgh, December* 29, 1863.

WHEN I addressed my despatch to your Lordship yesterday, I understood from Prince Gortchakoff that the Governments of Austria and Prussia were no longer inclined for the immediate convocation of a limited Conference on the Danish question alone at Paris. This morning the Vice-Chancellor entertains impressions of a different character. His Excellency has received a telegraphic communication from Vienna to the effect that Count Rechberg recognizes the imminent necessity of a Conference on this question.

Prince Gortchakoff, accordingly, has requested me to state to your Lordship by telegraph that, in his opinion, it is most desirable Lord Wodehouse should have orders to advise the Cabinet of Denmark to demand a Conference without delay. M. d'Ewers will have instructions to the same effect, and if the Cabinet of Copenhagen express a desire for Paris, Russia will not oppose it.

I have, &c.
(Signed) NAPIER.

No. 611.

Lord Napier to Earl Russell.—(*Received January* 4, 1864.)

My Lord, *St. Petersburgh, December* 31, 1863.

IN conformity with your Lordship's telegraphic despatch of yesterday's date, I have informed Prince Gortchakoff that Lord Wodehouse had been directed to propose a Conference to the Cabinet of Copenhagen, but that he had not found M. d'Ewers instructed to support him. I also stated to the Vice-Chancellor that the new Danish Ministry would propose a Conference at Paris.

I learn from Prince Gortchakoff to-day that the Russian Envoy has been instructed to co-operate with Lord Wodehouse on behalf of that project.

I have, &c.
(Signed) NAPIER.

No. 612.

Sir H. Howard to Earl Russell.—(*Received January* 5.)

My Lord, *Hanover, January* 3, 1864.

I HAD the honour to receive this morning your Lordship's despatch of the 31st ultimo,* containing a proposal, first for a Conference of the Powers who signed the Treaty of London of the 8th of May, 1852, together with a Minister of the German Diet, to treat of the differences between Germany and Denmark, and secondly, for the maintenance of the *status quo* until the Conference shall have finished its labours.

I lost no time in waiting upon Count Platen, and previously to giving his Excellency a copy of your Lordship's despatch I read it to him.

* No. 579.

I had hardly finished reading the despatch, when his Excellency said his answer was that the question was pending before the Diet.

On my replying that I was unwilling to take such an answer to a proposal which I had been directed to submit for the consideration of the Hanoverian Government, and that I therefore requested his Excellency to lay your Lordship's despatch before the King, he said that he would do so, but that his advice to His Majesty would be to the effect he had stated, your Lordship having brought the question before the Diet.

I remarked that the Diet was only an assembly of German Envoys, acting according to special instructions from their several Governments, and that it was conformable to the usual practice of all Governments to submit to the individual German Cabinets the proposals they brought before the Confederation, with a view to obtaining their assent to them. Moreover, when a Government like that of Great Britain made to the Hanoverian Government a communication couched in the most courteous language, and containing proposals, the adoption of which was calculated to prevent a European war, I considered that they had a right to expect that it should not be set aside by a mere reference to the Diet, but that on the contrary it should be taken into serious consideration.

I pointed out to Count Platen that in order to give effect to your Lordship's second request for the maintenance of the *status quo* until the Conference should have finished its labours, it would be necessary that no recognition of the pretensions of the Prince of Augustenburg, nor occupation of Schleswig, should take place. I could therefore, only, I said, repeat the expressions of my hope that the Hanoverian Government would oppose at the Diet any proposals, coming from whatever quarter, having either of those objects.

His Excellency, after intimating that a war might perhaps be the best solution for Germany, remarked that before your Lordship's proposal for a Conference was accepted its objects ought to be specified, and he conveyed the opinion that a revision of the Treaty of May 1852 should form one of them. He objected to the participation of Sweden in the Conference, which ought, he maintained, to be composed of the Representatives of the five great Powers and the German Confederation. He then alluded to your Lordship's recent communication to the Diet on the subject of the Conference as having given offence at Frankfort, and reproached the British Government with having during a long course of years shown a great partiality towards Denmark, to the detriment of Germany. As regards the question of the recognition of the Prince of Augustenburg, he said it would not come before the Diet for some time, and he could only remind me that he had not announced to me the withdrawal of Hanover from the Treaty of London of 1852. Hanover, he contended, in voting for an examination at the Diet of the Succession question, had not been acting contrary to her engagements under that Treaty. He thought I might be at ease concerning the occupation of Schleswig, as the Austro-Prussian proposal was not likely to be adopted by the Diet.

After observing upon the disastrous turn which a war might take for Germany, I recalled to Count Platen's recollection that Sweden had acted as mediator between Denmark and Germany for the Armistice of Malmö in 1848, and had taken a part in all the transactions of that period, and I did not see how she could be excluded from the Conference at present. I said that I could not see in your Lordship's communication to the Diet anything at which its members could reasonably take exception; your Lordship had warned the Diet against any precipitate steps as being calculated to bring on serious complications, but had your Lordship not done so, and had the Confederation committed itself in such a manner as to force Her Majesty's Government to take more decided action in the matter, Germany would probably have made the omission of such a warning a subject of reproach against Great Britain. As regards his Excellency's reproaches against Her Majesty's Government of having in their policy for many years past shown themselves partial to Denmark and unfriendly towards Germany, I need hardly say that I did not allow them to remain unanswered.

The powerful arguments contained in your Lordship's despatch in favour of the pacific solution of the pending difficulties by means of a Conference rendered it quite superfluous for me to enter into any detailed defence of your Lordship's proposal.

Towards the close of our conversation his Excellency repeated that he would submit your Lordship's despatch to the King, and said he would give me an answer as soon as he could, but that some little time might elapse before he did so, as he was desirous of previously ascertaining what course other Governments intended to adopt in respect to the Conference proposed by your Lordship.

I have, &c.

(Signed) HENRY F. HOWARD.

No. 613.

Mr. Gordon to Earl Russell.—(Received January 5.)

(Extract.) *Stuttgardt, January* 3, 1864.

I HAVE the honour to acknowledge the receipt, last night by extra messenger from Cologue, of your Lordship's despatch of the 31st ultimo.

In consequence of the instructions addressed by your Lordship to Her Majesty's Minister at Frankfort, respecting the misused terms "London Protocol" and "Protocol Prince," I have thought it right in availing myself of the opportunity of acknowledging receipt of Baron Hügel's note of the 30th ultimo (transmitted in my despatch of the 31st ultimo) to correct the term applied by his Excellency, throughout the note, of "London Protocol," when referring to the Treaty of London of May 8, 1852.

I have the honour to inclose a copy of the note I have addressed to Baron Hügel with this object, and I will take care in conversation and correspondence to comply with the instructions contained in your Lordship's despatch of the 22nd ultimo to Sir Alexander Malet.

I have likewise transmitted a copy of your Lordship's despatch to Sir A. Malet to Mr. Baillie, with instructions to guide himself by its directions.

Inclosure in No. 613.

Mr. Gordon to Baron Hügel.

Stuttgardt, January 3, 1864.

THE Undersigned, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, has the honour to acknowledge receipt of the note, dated the 30th ultimo, and received by him on the evening of the 31st ultimo, which Baron Hügel, Minister of Foreign Affairs to His Majesty the King of Wurtemberg, addressed to him, in reply to the communication which he had been instructed to make to his Excellency of Earl Russell's despatch of the 17th of December.

The Undersigned lost no time in forwarding to the Foreign Office Baron Hügel's note; with regard to which, therefore, Mr. Gordon does not feel himself called upon, for the preseut, to offer any observations, beyond remarking that, throughout the whole of the note, the term "Protocol" is used to designate the Treaty of London of the 8th of May, 1852; to which the King of Wurtemberg acceded on the 23rd of November of that year, and, which Baron Hügel must be well aware, is as formal and regular an International Treaty as was ever signed.

Mr. Gordon takes the liberty of inclosing herewith an official copy of the Treaty of London of May 8, 1852.

The Undersigned, &c. (Signed) G. J. R. GORDON.

No. 614.

*Earl Russell to Lord A. Loftus.**

My Lord, *Foreign Office, January* 5, 1864.

IN case the vote of the Diet should be given in favour of the claims of the Prince of Augustenburg to the sovereignty of Holstein, the Federal troops ought in the first place to evacuate that Duchy, in order to give the Danes an opportunity of resisting the entry of an invading force, if they choose so to do. Unless this is done a fraud will have been committed in the occupation of Holstein, which has taken place under pretence of a Federal Execution.

I am, &c.
(Signed) RUSSELL

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* Similar despatches were addressed to Mr. Gordon, Mr. Murray, and Sir H. Howard.

No. 615.

*Earl Russell to Earl Cowley.**

My Lord, *Foreign Office, January* 5, 1864.

IN the present very critical situation of affairs in the Duchies of Holstein and Schleswig, and in the present state of the relations between Germany and Denmark, it appears to Her Majesty's Government most desirable that some concert should be arrived at between the non-German Powers who signed with Denmark the Treaty of London of May 1852.

Her Majesty's Government proceed to state their view of the present position of the Dano-German question.

Her Majesty's Government understand that the Diet is now deliberating, or about to deliberate, on two courses proposed to them, the one by Bavaria and Saxony, the other by Austria and Prussia, in reference to the affairs of Denmark.

By the first of these courses the Prince of Augustenburg would be at once put in possession of Holstein, and the German Powers having obtained possession of Rendsburg and Frederickstadt, together with the rest of Holstein, without resistance from the Danes, on the ground of Federal Execution, would convert that Execution into occupation, and place the Prince of Augustenburg on the Ducal Throne of Holstein. The German Powers are further expected, upon the appeal of the same Prince of Augustenburg, to assist in placing him in possession of the Duchy of Schleswig, which is not German territory, and which forms no part of the German Confederation.

On the other hand, Austria and Prussia are said to have proposed to the Diet, "that the Confederation should require Denmark definitively to suspend the November Constitution with regard to Schleswig, and should at the same time notify that, in case of refusal, the Confederation will be compelled to obtain a pledge for the fulfilment of its just demands by the military occupation of Schleswig."

In regard to the first place, Her Majesty's Government could only regard its adoption as an unjustifiable attack upon Denmark, with a view to its dismemberment, and as being therefore a violation of the Treaty of London.

The second course proposed by Austria and Prussia clearly implies a recognition of the King of Denmark's title to Schleswig. In regard to this plan, Her Majesty's Government ask only for time and impartial consideration. Time will be obtained if the Confederation will at once stop all acts of hostility, if any are now being carried on, forego all warlike preparations, and be satisfied with the present state of military occupation in Holstein. Impartial consideration of the points at issue will be obtained, if the German Confederation will consent to refer them to a Conference of the Powers who signed the Treaty of London, or will accept the mediation of the non-German Powers, parties to the Treaty of London, or some other mode of amicable arrangement.

If that attempt should be successful the question will be solved, and peace will be maintained; if it is unsuccessful, each Power will be at liberty to pursue the course which its own honour and its own interests may seem to demand.

But at all events it will be proved that the Powers of Europe were not willing to incur the evils of war till every mode of averting those evils had been exhausted.

It must be remembered that the present King of Denmark has been scarcely two months upon the Throne, that he has already shown his wishes for accommodation by revoking the Royal Letters-Patent of March 30 as to Holstein, and by submitting without a conflict to the German Execution in Holstein. His Ministry also has just been changed, so that he stands in the position of a King who has recently ascended the Throne, and has formed a new Ministry.

Some interval of time may surely be asked to try the last chances of peace.

Her Majesty's Government wish to learn the views of France, Russia, and Sweden upon this subject, and should they be found to agree, the four Powers may then communicate them by a note similar in substance to the Courts of Austria and Prussia and to the German Confederation.

You are instructed to give a copy of this despatch to M. Drouyn de Lhuys.

I am, &c.

(Signed) RUSSELL.

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* Similar despatches were addressed to Lord Napier and Mr. Jerningham.

No. 616.

Sir A. Malet to Earl Russell.—(*Received January* 6.)

My Lord, *Frankfort, January* 4, 1864.

I HAVE the honour to annex a copy of the note by which I executed your Lordship's instructions by telegram, that I should request the President of the Diet to lay your Lordship's despatch of the 31st December* before that Assembly.

I have, &c.

(Signed) A. MALET.

Inclosure in No. 616.

Sir A. Malet to Baron Kübeck.

Frankfort, January 2, 1864.

IN conformity with instructions received from the Government of Her Britannic Majesty, the Undersigned has the honour to inclose herewith to his Excellency Baron de Kübeck, &c., a copy of a despatch from Earl Russell relating to the questions at issue between Germany and Denmark.

This despatch renews the proposal of a Conference at which a Representative of the Germanic Confederation is invited to attend, in more precise and definite terms than those in which the Undersigned had the honour of making a similar proposal to his Excellency the President on the 27th of December. The Undersigned, in begging his Excellency to lay this communication before the Diet, avails, &c.

(Signed) A. MALET.

No. 617.

Sir A. Malet to Earl Russell.—(*Received January* 6.)

My Lord, *Frankfort, Jauuary* 4, 1864.

YOUR Lordship's instructions, in despatch of the 31st December,* only permitting me to give the President of the Diet a copy, obliged me to ask your Lordship's further orders, as had I only given in a copy of the despatch without the specific request that it should be presented to the Diet, the forms of procedure would have led to its being considered as a confidential communication which would merely have been inserted in the Protocol.

By requesting that a communication be laid before the Diet, reference to a Committee and further consideration are insured, such being the rule as to all documents placed in the President's hands, unless they are of a nature beyond the competence of the Diet, or to incur rejection *in limine*.

I have, &c.

(Signed) A. MALET.

No. 618.

Sir A. Buchanan to Earl Russell.—(*Received January* 6.)

My Lord, *Berlin, January* 5, 1864.

IN conformity with the instructions conveyed to me in your telegram of the 3rd instant, I have this day complied with M. de Bismarck's request, and left a copy with him of your Lordship's despatch of the 31st ultimo,† on the condition that he will not allow it to be published.

He said his principal object in asking for it was that he might be able to communicate it to the King.

I have, &c.

(Signed) ANDREW BUCHANAN.

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* No. 579. † No. 554.

No. 619.

Earl Cowley to Earl Russell.—(*Received January* 6.)

(Extract.) *Paris, January* 5, 1864.

I SAW M. Drouyn de Lhuys as soon as his Excellency could receive me this morning, and communicated to him the contents of your Lordship's telegram.*

After listening to the proposal contained in it, M. Drouyn de Lhuys observed that in principle it was much the same as the proposal which I had already made to him on the part of Her Majesty's Government, and was open to the same objections. What was to be done should Germany refuse to suspend hostile preparations?

I said that if a demand for the cessation of hostilities, should they be carrying on, and of hostile preparations, were to be made by the Powers indicated in your Lordship's despatch, and that demand were not to be acquiesced in by Germany, further deliberations between the Powers would, it seemed to me, become necessary. But why anticipate difficulties which might never be realised? We had before us a question which every Government admitted to be fraught with immediate danger to the peace of Europe. Was it not the duty of every statesman to do all in his power to eliminate this danger?

M. Drouyn de Lhuys replied that he fully admitted the danger of the present situation, nor did he see, he said, any chance of effecting a reconciliation between Denmark and Germany but through a mediation; and if that mediation was to be carried on by means of more than one Power, a Conference would become necessary. He need hardly add that he agreed with me that no feelings resulting from past events should interfere with a decision on so important a question. For the present he could say no more than that he would submit the proposal of Her Majesty's Government to the Emperor without loss of time, and would inform me of the determination of the Imperial Government.

I inquired of M. Drouyn de Lhuys whether he was aware that Denmark was about to ask for the mediation of the Great Powers and of Sweden. He replied that he had been informed of it by telegraph. I said that the demand of Denmark being in accordance with the declaration respecting mediation made by the Congress of Paris, could hardly be refused by the Powers who had signed that declaration, though in the opinion of Her Majesty's Government neither Austria nor Prussia could act as mediators. I observed further that if Great Britain and France would consent to the principle of mediation, other Powers, I felt convinced, would not refuse. It was therefore essential that the decision of the Imperial Government should be speedily taken. M. Drouyn de Lhuys led me to hope that I might have an answer in the course of the day.

No. 620.

Earl Russell to Sir A. Buchanan.

(Extract.) *Foreign Office, January* 6, 1864.

IN reply to your Excellency's despatch of 2nd instant, which was received on the 4th, I have to inform you that Her Majesty's Government consider you were right in stating to the Prussian Secretary for Foreign Affairs that they had not said that the relations between England and Prussia might be endangered by an invasion of Schleswig, although they considered that such an invasion might do so if due time were not given to the Danish Government to grant the concessions which they were required to make.

I have to instruct your Excellency to point out to Baron Bismarck that the occupation of Schleswig at a moment when so violent a feeling prevails in Germany is a very different thing from what such occupation would be as an ordinary operation of war.

Her Majesty's Government are willing to believe that the Prussian Government, in the same manner as the Government of Austria, intend to act an honourable part in the present crisis, but some of the Powers of Germany have shown an intention of availing themselves of the Execution and the occupation in Holstein and Schleswig as a means of creating a revolution in those Duchies, with a view to the dismemberment of the Danish Monarchy.

Her Majesty's Government consider such a course as this to be neither honourable for Germany to pursue, nor safe for Austria and Prussia to allow.

The recent vote of the Diet at Frankfort clearly indicates an intention not to exclude the Prince of Augustenburg from the Duchy of Holstein. At the same time the conduct of the Federal forces in that Duchy is altogether at variance with the character of a Federal Execution, and can only have a tendency to leave a stain upon the good name of the Confederation.

* For substance, see No. 615.

No. 621.

*Earl Russell to Lord Bloomfield.**

(Extract.) *Foreign Office, January* 6, 1864.

THE despatch of which I inclose copy,† and which I have addressed to Her Majesty's Representatives at Paris, St. Petersburgh, and Stockholm, will explain to you in detail the nature of the proposal which Her Majesty's Government have made to those Courts for a common action with Her Majesty's Government with a view to bring about a settlement of the Dano-German question.

No. 622.

Earl Russell to Sir H. Howard.

Sir, *Foreign Office, January* 6, 1864.

IN reply to your despatch of the 31st ultimo, I have to inform you that Her Majesty's Government entirely approve the language you made use of to Count Platen on the subject of the disposition shown by Hanover to abandon the Treaty of London of 1852.

I am, &c.
(Signed) RUSSELL.

No. 623.

Earl Russell to Sir A. Malet.

Sir, *Foreign Office, January* 6, 1864.

IN reply to your despatch of the 4th instant, I have to inform you that I approve of the reasons you give for having asked my directions as to my despatch of the 31st ultimo being laid before the Diet.

I am, &c.
(Signed) RUSSELL.

No. 624.

Sir A. Buchanan to Earl Russell.—(Received January 7.)

(Extract.) *Berlin, January* 4, 1864.

WHEN I represent to M. de Bismarck that the present position of Denmark must be already so galling to her proud and high-spirited people, that her worst enemies should feel satisfied, and that she is already prepared to surrender to the enemy at her gates all that can be justly demanded from her, I am told that until Germany has actually shown that she is not afraid to draw her sword in a cause which she considers to be just, and has forced Denmark by arms to remove the grievances complained of, the King will not consider that enough has been done for national honour.

A Conference, therefore, M. de Bismarck says, can only be accepted on the condition that it will not interfere with the military operations which may in the meanwhile be decided upon.

It is not to be believed, however, that the Prussian Government would decline to obtain by negotiations alone all that can be justly demanded of Denmark, or that they would insist on the proposed negotiations being preceded or accompanied by an unnecessary and bloody conflict, merely in order that Germany might prove to the people of Denmark that they are unable to resist the overwhelming forces of the German Confederation.

I shall not, therefore, characterize the grounds on which M. de Bismarck rests his defence of the intended invasion of Schleswig. It will be more reasonable to inquire whether there may not be other causes for that measure, which, if not unobjectionable, present it in a less odious point of view than as a mere wanton interruption of the peace of Europe, and a needless infliction upon Denmark of the horrors of war.

* Similar despatches were ddressed to Sir A. Buchanan and Sir A. Malet. † No. 615.

I have no doubt, therefore, that the union of Schleswig and Holstein into one German State are the real objects of the proposed invasion and occupation of the former Duchy, and as Austria and Prussia believe they can effect this without any great sacrifices, they will endeavour at the same time to maintain their Treaty engagements so far that they will not demand the disruption of the Danish Monarchy; but with the Duchies of Schleswig and Holstein in the possession of their troops, they will, it may be presumed, demand from Denmark the formal cession of Schleswig to Germany, and unite the new State to Denmark by the mere dynastic union of the two Crowns.

This is, I have reason to believe, what Austria and Prussia intend, but it remains to be seen whether, under the revolutionary influences which have been permitted to direct affairs in Holstein, it will be possible for them to induce Germany to consent to any vestige whatever being preserved of the arrangements to which a European sanction was given by the Treaty of London; and if Denmark resists to the last, and carries on the war as long as her resources will enable her to do so, regardless of the occupation of her continental provinces, a state of things may arise most dangerous to the general peace of Europe.

But, on the other hand, if Schleswig is not invaded, there is every reason to believe that Denmark will accept whatever terms the great Powers may recommend as a just settlement of the controversy.

No. 625.

Sir A. Buchanan to Earl Russell.—(*Received January 7.*)

My Lord, *Berlin, January 5*, 1864.

I AM told the Prince of Augustenburg has informed his adherents that on entering upon the Sovereignty of the Duchies he will be ready to accept the Constitution of Schleswig-Holstein of the 24th of September, 1848.

The Ist Article of that Constitution is that the Duchies of Schleswig and Holstein are a single and indivisible State. And the IIIrd is that the Duchies of Schleswig and Holstein are an integral part of the Germanic Body.

I have, &c.

(Signed) ANDREW BUCHANAN.

No. 626.

Sir A. Buchanan to Earl Russell.—(*Received January 7.*)

My Lord, *Berlin, January 4*, 1864.

THE extra messenger Bousey delivered to me on the 2nd instant your Lordship's despatch of the 31st ultimo,* in which after expressing the opinion of Her Majesty's Government on the events which have taken place since the death of the late King of Denmark, and the questions which are at issue between Denmark and Germany, you state that Her Majesty's Government ask in the interests of peace,—

1. That a Conference of the Powers who signed the Treaty of London, together with a Minister of the German Diet, should sit in London or in Paris to treat of the differences between Germany and Denmark; and

2. That until such Conference shall have finished its labours the *status quo* shall be maintained.

I read the despatch to M. de Bismarck in the course of the evening, and as he asked for a copy I left one with him in conformity with your Lordship's instructions.

The only observation which he made on its contents was with reference to the maintenance of the *status quo* during the proposed negotiations. He said he could not agree to such a condition, as German national feeling would not be satisfied unless Denmark either abrogated the Constitution or Schleswig was withdrawn from the jurisdiction, by the invasion and occupation of the Duchy by German troops.

I have, &c.

(Signed) ANDREW BUCHANAN.

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* No. 579.

No. 627.

Sir A. Buchanan to Earl Russell.—(*Received January* 7.)

(Extract.) *Berlin, January* 5, 1864.

I ACQUAINTED M. de Bismarck this morning with the substance of your Lordship's telegrams* of the 3rd and 4th instant; the only remark which he made on the opinions expressed in the first, as to the conduct of the Federal authorities in Holstein, was, that your Lordship should make them known to the Diet at Frankfort.

With regard to the suggestion in the second, that Austria and Prussia should withdraw their proposal to the Diet for the invasion and occupation of Schleswig, he said, that Her Majesty's Government should take into consideration that the Execution had been carried out by Saxon and Hanoverian troops, under the immediate orders of the Diet, and that Prussia and Austria had been able to exercise little control over the attitude of the Federal civil and military authorities with reference to the population of the Duchy and the Succession question; but that if Schleswig was invaded, the occupation would take place under the supreme command of a Prussian General, who would permit no contravention of the laws at present existing in the province, and by which all public political meetings are prohibited.

I said, if revolutionary movements were to be opposed in Schleswig instead of being encouraged, as had been the case in Holstein, by the invading army, some of the evil consequences of an occupation of the Duchies might be diminished; but as the Danish Government could not be prevented from defending their territory, an invasion of the Duchy would still be the unnecessary commencement of a conflict which might imperil the peace of all Europe.

We then spoke of the *status quo*, on which your Lordship suggests that a Conference should take place for the arrangement of the differences of Denmark and Germany. His Excellency said that such a proposal was entirely inadmissible, and that it was not to be expected that Austria and Prussia would go into Conferences acknowledging the obligations which they contracted by the Treaty of London, while Denmark should come there maintaining in force a Constitution which has incorporated Schleswig with the Kingdom of Denmark, in flagrant violation of engagements into which she had entered with Germany. If the new Constitution is not to be abrogated by Denmark, he said, Germany cannot treat with her on the basis of the Treaty, except with Schleswig in the possession of the troops of the Confederation, which would be a *de facto* abrogation of the Constitution in the Duchy.

With respect to the Constitutional difficulties which I urged against the abrogation of the Constitution, he replied they were not made by Germany, and it was for Denmark to devise a means of overcoming them. But I said that if the Danish Government were to convoke the Rigsraad for an act of self-immolation, they might be told they had offered a new insult to Germany, whereas it might be agreed in Conference that such a measure should be adopted. He stopped me by saying that it was needless wasting arguments upon the subject; he knew what was possible and what was impossible, and that if the Treaty was not to be repudiated there was no choice except between the abrogation of the Constitution and the occupation of the Duchy. I then said, But you speak always of what you exact, but never mention what you will do; and I asked if it was likely that the Danish Government would, under present circumstances, accept a proposal on the part of Her Majesty's Government that they should abrogate the Constitution before the meeting of the Conference about to be convoked if Her Majesty's Government could not assure them that on that condition being fulfilled on their part, Germany would engage not to cross the Eider and invade Schleswig while the Conferences were sitting. He replied, that would be a more reasonable proposal. I said it was not a proposal, but merely an observation of my own to endeavour to ascertain from him whether there was any basis on which Germany would go into Conferences, with the maintenance of the Treaty of London by Austria and Prussia and the present military *status quo* in Holstein; and that since he said he considered such a proposal would be reasonable, I asked whether he would authorize me to state to your Lordship that such a proposal would be received favourably by the Prussian Government. His Excellency said I might state that he would recommend it to the King, but if it was made it must be made formally in a despatch and addressed at the same time to the Austrian Government.

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* For substance, see Nos. 589 and 620.

No. 628.

Sir H. Howard to Earl Russell.—(Received January 7.)

My Lord, *Hanover, January 5, 1864.*

I TOOK an opportunity to-day of stating to Count Platen that I was expecting a messenger on his road to England, and that I was desirous of being able to announce by him to your Lordship that instructions would be sent to the Hanoverian Envoy at Frankfort, to support in the Committee of the Diet, and afterwards in the Plenary Assembly, your Lordship's proposal for a Conference to sit in London or in Paris, in order to treat of the differences between Germany and Denmark, and for the maintenance of the *status quo* pending the conclusion of its labours.

His Excellency replied that he had well understood my previous request to that effect, but that he could not give me an answer until he learnt the course which other Powers intended adopting in regard to your Lordship's proposal. He said that your Lordship had not, as far as he was aware, yet obtained the consent of France to it, and that according to his information the favourable disposition which Prussia had at first shown to it had undergone a change. On my expressing some apprehension lest the Hanoverian Envoy at Frankfort might commit himself against the Project, he observed that of this there was no danger, as your Lordship's communication to the Diet had not yet been brought under discussion in the Committee, and when it should be so, M. de Heimbruch would refer to him for instructions.

I should remark, that when Count Platen conveyed to me two days ago his opinion that the revision of the Treaty of London of May 1852 should form one of the subjects of deliberation of the proposed Conference, I pointed out to his Excellency that your Lordship had expressly stated its object to be to treat of the differences between Germany and Denmark, and had in your despatch to me laid great stress upon the importance of the maintenance of the faith of Treaties. Moreover, what the Powers who signed the Treaty of London had most at heart, was precisely to secure the integrity of the Danish Monarchy.

I have, &c.

(Signed) HENRY F. HOWARD.

No. 629.

Mr. Murray to Earl Russell.—(Received January 7.)

My Lord, *Dresden, January 5, 1864.*

I HAVE the honour to inclose copy of a note which I have this day addressed to his Excellency M. de Beust, in consequence of your Lordship's telegram of yesterday evening, having presumed that the intention of your Lordship was that it should in substance be communicated to the Saxon Government.

I have, &c.

(Signed) CH. A. MURRAY.

Inclosure in No. 629.

Mr. Murray to M. de Beust.

M. le Ministre, *Dresde, le 5 Janvier, 1864.*

J'AI l'honneur de vous prévenir que je viens de recevoir une dépêche du Comte Russell, dans laquelle il me communique les vues du Gouvernement de Sa Majesté Britannique sur l'état des affaires en Holstein, dans le sens que, si les troupes de la Confédération envahissent le Slesvig avant que les Puissances Signataires du Traité de Londres aient pu faire connaître leur opinion à ce sujet, les conséquences les plus sérieuses pourront en résulter. D'après l'avis du Gouvernement Anglais la conduite des troupes Allemandes en Holstein a été contraire non seulement au Décret de la Diète, mais aussi à la justice; et la Bavière, le Saxe, et le Wurtemberg doivent en partager la responsabilité.

Quoique je n'ai pas reçu l'ordre de communiquer le contenu de cette dépêche à votre Excellence, je suis persuadé qu'il est de mon devoir de le faire, vu que, si le Gouvernement Saxon se sent disposé à tenir compte de l'avis du Gouvernement de Sa Majesté Britannique sur un sujet qui est de la plus haute importance pour

toute l'Europe, il n'y a pas de temps à perdre, car la marche des affaires dans les Duchés est telle que les évènements d'un jour pourraient rendre infructueuses toutes les démarches prises par le Gouvernement Britannique pour conserver la paix entre la Confédération Germanique et le Danemark.

Agréez, &c.
(Signé) CH. A. MURRAY.

(Translation.)

M. le Ministre, *Dresden, January* 5, 1864.

I HAVE the honour to inform you that I have just received a despatch from Earl Russell, in which he communicates to me the views of the Government of Her Britannic Majesty on the state of affairs in Holstein, in the sense that if the troops of the Confederation invade Schleswig before the Powers signatary of the Treaty of London have been able to make known their opinion on this subject, the most serious consequences may ensue. According to the opinion of the English Government, the conduct of the German troops in Holstein has been contrary not only to the Decree of the Diet, but also to justice; and Bavaria, Saxony, and Wurtemberg must share the responsibility of it.

Although I have not received any order to communicate the contents of this despatch to your Excellency, I am persuaded that it is my duty to do so, as, if the Saxon Government feel disposed to take into account the opinion of Her Britannic Majesty's Government on a subject which is of the highest importance for all Europe, there is no time to lose, for the progress of affairs in the Duchies is such that the events of a day might render useless all the steps taken by the British Government to preserve peace between the Germanic Confederation and Denmark.

I have, &c.
(Signed) CH. A. MURRAY.

No. 630.

Sir A. Buchanan to Earl Russell.—(*Received January* 8.)

My Lord, *Berlin, January* 5, 1864.

SINCE dispatching the messenger this evening, I have received a Report of a sitting of the Committee on the loan which took place last night, and at which M. de Bismarck was present.

His Excellency is reported to have stated that Prussia intended to proceed in the Schleswig-Holstein question in concert with the Diet. And subsequently, on his being asked what the Government would do if the Diet recognized the Prince of Augustenburg as Duke of Holstein, he replied that the Diet had no right to decide that question. He said that, in his opinion, the Diet had no sovereign rights whatever, and was a mere mutual assurance company, or "a sort of conservatory for the protection of the small States of Germany against the inclemencies of the European climate;" and that Prussia, as a Great Power, could not submit in every respect to the decisions of the Diet.

He said if the loan was not granted, he would take the money wherever he could procure it. After some discussion as to the expenses of the mobilization, it seemed probable that the Committee would recommend those for December and January to be granted, but to be taken from the reserve fund in the Treasury.

The "Kreuz Zeitung" of this evening speaks of the mobilization of the 7th Corps d'armée, and of the 13th Division of that corps having already received orders to concentrate itself in Priegnitz, with a view, it is supposed, to its being employed in the eventual occupation of Schleswig.

I have, &c.
(Signed) ANDREW BUCHANAN.

No. 631.

Earl Cowley to Earl Russell.—(*Received January* 8.)

(Extract.) *Paris, January* 7, 1864.

IN my despatch of the 5th instant I had the honour to inform your Lordship that M. Drouyn de Lhuys had led me to expect that he would be able to impart to me,

in the course of that day, the decision taken by the Emperor with reference to the proposal of Her Majesty's Government that Great Britain, France, Russia, and Sweden should offer their mediation for the settlement of the differences existing between Germany and Denmark. The day, however, passed over without my receiving any further communication from his Excellency; and on the following morning your Lordship's despatch of the 5th instant upon the same subject reached me, a copy of which I was instructed to give to the French Minister.

I lost no time in apprizing M. Drouyn de Lhuys of the instructions which I had received, and requested him to fix an hour for seeing me. Towards 4 o'clock two notes from his Excellency were given to me; the one, dated the previous day (having, consequently, been twenty-four hours reaching me), stating that the Emperor had determined, before replying to the proposal of Her Majesty's Government, to await the communication respecting mediation which had been announced from Copenhagen; the other excusing himself from seeing me until to-day.

This afternoon, then, I called upon M. Drouyn de Lhuys, and gave him a copy of your Lordship's despatch.

M. Drouyn de Lhuys observed that the Danish proposition had not yet been received, and that he could not, therefore, speak more positively respecting a project of mediation than he had done already. But he was preparing the way. He had seen the Austrian and Prussian Ambassadors yesterday, and had told them that the French Government would neither go into Conference nor assist in a mediation, unless Germany should previously accept the political and military *status quo* in Denmark and the Duchies, comprising the question of Succession. What would be the use of conferring while Germany was pursuing hostilities which might produce a daily change in the questions to be decided by the Conference? Moreover, he must repeat that Germany, to this day, had never stated the exact demands which she had to make upon Denmark; and until this had been done there would, in fact, be nothing to confer about. If, therefore, Austria and Prussia were desirous of Conferences, he could only urge upon them the necessity of obtaining the consent of the Diet to the maintenance of the *status quo*, and to a formal exposition of the demands of Germany.

The language which he had held to the Austrian and Prussian Ambassadors, M. Drouyn de Lhuys continued, must guide him in his answer to me, and he must know further, before engaging in a project of mediation, whether mediation would be accepted by the Diet.

I observed that the best chance of obtaining the consent of the Diet to mediation would be by making the proposal. So long as we contented ourselves by merely feeling our way, so long I was convinced would all our efforts be thrown away on Germany. But let the proposal of Her Majesty's Government be agreed to, and a direct offer of mediation be made by Great Britain, France, Russia, and Sweden in the terms suggested by Her Majesty's Government, or, if the demand of mediation were to be made by Denmark, let it be supported by the above Powers, there would at all events be a chance of its acceptance at Frankfort. We should certainly not prevent war by watching the march of events with folded arms. Diplomatic interference might not, indeed, succeed, but it was the duty of those who wished to preserve Europe from war to try it, and it would be a satisfaction hereafter to have done so.

I could obtain no other reply from M. Drouyn de Lhuys than the repetition of the intention to await the proposal which Denmark is about to make; but he said at last, that I might tell your Lordship that he would support a demand of mediation coming from Copenhagen, provided it were not accompanied by any unreasonable conditions.

No. 632.

Lord Wodehouse to Earl Russell.—(*Received January* 9.)

My Lord, *Copenhagen, January* 3, 1864.

AT the request of Bishop Monrad, M. d'Ewers and I waited upon him to-day at the Foreign Office. M. Quaade was present at our interview with his Excellency.

The Bishop said that having taken charge provisionally of the Ministry for Foreign Affairs, he had requested us to call upon him in order that he might communicate to us the decision of the Danish Government as to our suggestion that Denmark should propose a Conference upon the questions at issue between her and Germany.

The King, his Excellency said, had seen with deep pain the recent events in Holstein. His Majesty had made a great sacrifice in the cause of peace when he gave orders to

his troops not to offer any resistance to the forces of the Confederation, and he had hoped that the Federal authorities would have taken advantage of the arrangement by which the withdrawal of the Danish troops was effected in each town, simultaneously with the entrance of the Federal troops, to prevent any revolutionary movements. The scenes which had occurred at Altona and Kiel and elsewhere had shown how ill founded these hopes had been.

But however just a right he had to complain of the proceedings of the Confederation, His Majesty was resolved that nothing should be omitted on his part, consistent with the honour of his Crown, to avert a war. He had therefore determined to appeal to the principle laid down at the Congress of Paris, that international disputes should be settled by arbitration; and in accordance with that principle to invite the mediation of the Powers who signed the Treaty of May 8, 1852, with respect to the differences between Denmark and Germany. The mode of carrying out this mediation would be left by Denmark to the choice of the Powers to whom this proposal would be addressed.

His Excellency added, that it must be understood that pending the negotiations the *status quo* would be maintained as it existed on the first day of the present year. He was desired by the King to declare that the occupation of any part of Schleswig by the Federal troops would be treated by Denmark as an act of war, which must at all hazards be resisted by force. If the Danes were driven by superior numbers out of Schleswig they would continue their resistance in Jutland; if they were compelled to retreat from Jutland they would fight to the last extremity in the islands, until Copenhagen itself was in the hands of the enemy.

With regard to the Constitution of November 18, the Bishop said it was impossible for the King to formally bind himself not to convoke the Rigsraad, as circumstances might arise, as for instance the demise of the Crown or the necessity for further supplies of money, which would render the meeting of the Rigsraad unavoidable, and the King had no power to enter into an engagement to set aside the law; but his Excellency added he was perfectly aware that any measure by which the Constitution should be called into activity would be regarded by Germany as equivalent to a declaration of war on the part of Denmark, and must bring about an instant rupture of negotiations. It was obvious, therefore, that an intention on the part of the Danish Government to advise the King to summon the Rigsraad whilst negotiations were proceeding would be altogether inconsistent with the proposal which they were about to make for a mediation. More than that he could not say, and he hoped we should accept this statement as satisfactory.

Despatches in accordance with what he had now stated to us would be sent, as soon as they could be prepared, to the Danish Ministers at London, Paris, St. Petersburgh, and Stockholm, and as the regular diplomatic intercourse with the Courts of Berlin and Vienna was interrupted, direct communications in the same sense would be addressed to the Austrian and Prussian Ministers for Foreign Affairs.

In conclusion, he must express his earnest hope that no time would be lost in commencing the negotiations.

M. d'Ewers and I expressed our satisfaction at the communication which the Bishop had made to us, and with his Excellency's consent we made known the substance of it to our respective Governments this afternoon by telegraph.

After our interview was over I observed to M. d'Ewers that Bishop Monrad had omitted to tell us whether the Danish Government were willing to admit a Representative of the Germanic Diet to the negotiations, and that although it might be inferred from what he had said that no objection would be raised on that point, it was necessary that no doubt should exist as to so important a condition.

We subsequently saw M. Quaade, from whom we received the assurance, after he had spoken to Bishop Monrad, that no opposition would be made by Denmark to the presence of a Representative of the Diet.

I have, &c.
(Signed) WODEHOUSE.

No. 633.

Lord Wodehouse to Earl Russell.—(*Received January* 9.)

My Lord, *Copenhagen, January* 5, 1864.

BISHOP MONRAD has been good enough to furnish me with copies of the despatches addressed by him to the Danish Ministers at London and St. Petersburgh proposing a mediation respecting the differences between Denmark and Germany.

I have the honour to inclose copies herewith for your Lordship's information.

I have, &c.

(Signed) WODEHOUSE.

Inclosure 1 in No. 633.

Bishop Monrad to M. de Bille, January 5, 1864.

[See No. 682.]

Inclosure 2 in No. 633.

Bishop Monrad to the Danish Minister at St. Petersburgh.

M. le Baron, *Copenhague, le* 5 *Janvier,* 1864.

NOUS n'aurions eu qu'à nous applaudir si le Prince Gortchakoff avait réussi à réaliser l'idée que lui avait suggérée la mission de M. d'Ewers ici. Réunir les Puissances qui ont signé le Traité de Londres dans un faisceau, pour discuter et résoudre d'une façon équitable tous les côtés de la question Dano-Allemande, et éviter de cette manière au Nord les secousses et les malheurs d'une guerre, voilà le noble but que le Cabinet Russe se proposait et qui était en parfaite harmonie avec la sollicitude que ce Gouvernement a constamment vouée au bien du Danemark. Malheureusement l'idée du Vice-Chancelier n'a point aboutie, surtout parceque les deux grandes Puissances Allemandes ont préféré de se tenir à l'écart.

Mais tout en n'ayant pas amené le résultat que l'on devait en désirer, l'initiative prise par le Prince Gortchakoff a au moins servi à indiquer clairement la seule voie à suivre, si l'on veut épargner au Danemark, et peut-être à l'Europe, une guerre désastreuse. En effet la médiation des Puissances impartiales peut seule écarter cette calamité.

Le Protocole signé le 14 Avril, 1856, par les Puissances Contractantes de la Paix de Paris a établi un principe général qui nous autorise à demander à l'Europe d'intervenir par ses bons offices dans notre différend avec la Confédération. Le Traité de Londres vient y ajouter un autre titre plus spécial, car le principe de l'intégrité de la Monarchie Danoise, qui a été si solennellement consacré en 1852, on affecte aujourd'hui de la mettre en question. Ainsi il y a deux voies par lesquelles une médiation nous semble assurée, soit qu'elle se fasse sous les auspices de toutes les Puissances qui ont pris part au grand Acte International de 1856, soit qu'elle reste restreinte à celles qui ont donné une garantie à l'ordre de Succession et au principe plus général établis par le Traité de Londres.

Votre Excellence connaît notre désir sincère de passer de la situation actuelle si dangereusement tendue à une négociation régulière; et depuis longtemps nous comprenons que toute négociation restera infructueuse à moins qu'elle ne se passe sous les auspices des Puissances impartiales, sous une forme ou sous une autre.

Aussi nous avons appris avec une grande satisfaction que les autres Puissances qui par la position qui leur revient, soit dans les affaires générales de l'Europe, soit dans notre question particulière, sont avant toutes appelées à s'en occuper, s'attachent depuis quelque temps déjà à trouver, en suivant l'initiative prise par le Cabinet de St. Pétersbourg, la forme la plus propre pour une intervention diplomatique. Le Gouvernement du Roi apprécie les difficultés que ce problème peut présenter dans les circonstances actuelles, et il comprend parfaitement qu'il ne nous appartient pas de décider une question dont la solution doit dépendre des convenances et des vues générales des Puissances. Pour nous, la forme d'une médiation éventuelle est d'une importance secondaire; car soit que nous ayons à soutenir nos droits devant une réunion plus ou moins restreinte des Puissances impartiales, soit qu'il faille la traiter seule ou en même temps que les autres questions politiques qui agitent l'Europe, nous aurions toujours la même confiance dans la justice et l'équité de nos alliés. Ce qui nous importe et ce qui

est de la dernière nécessité, la Russie l'a parfaitement compris, c'est que la médiation intervienne à temps et avant que le sang ait commencé à couler.

Je prie votre Excellence de remercier vivement le Vice-Chancelier de l'initiative qu'il a prise dans cette affaire. Je suis fermement convaincu que le Cabinet Russe persistera dans ses efforts bienveillants pour nous, et je ne doute pas que le Prince ne réussisse à réaliser, sous une forme ou sous une autre, l'idée d'une médiation dont il a apprécié le premier toute la nécessité pour la conservation de la paix.

Veuillez donner lecture de cette dépêche au Vice-Chancelier et lui en laisser copie.

J'ai, &c.
(Signé) D. G. MONRAD.

(Translation.)

M. le Baron, *Copenhagen, January 5*, 1864.

IT would have been a matter on which we could have congratulated ourselves, if Prince Gortchakoff had succeeded in realizing the idea which the mission of M. Ewers to this Court had suggested to him. To unite the Powers who signed the Treaty of London in a body for the purpose of discussing and resolving in an equitable manner the Dano-German question in all its points, and thus to spare the North the throes and misfortunes of war, was the noble aim of the Russian Government and one which fully harmonized with the solicitude which that Government has always shown for the good of Denmark. Unfortunately, the idea of the Vice-Chancellor was not carried out, principally because the two Great German Powers preferred holding back.

But although the initiative taken by Prince Gortchakoff did not have the result which could have been hoped for, it has nevertheless served clearly to point out the only course to be pursued if it be desired to ward off a disastrous war from Denmark, and perhaps from all Europe. The mediation of the impartial Powers is, in fact, the only means of averting this calamity.

The Protocol signed the 14th April, 1856, by the Contracting Powers of the Treaty of Paris established a general principle authorizing us to demand the intervention of Europe in our dispute with the Confederation. The Treaty of London affords another and more special title, inasmuch as the principle of the integrity of the Danish monarchy, which was so solemnly confirmed in 1852, is now affected to be questioned. There exist, therefore, two courses by which mediation seems to be assured to us, whether it be carried out under the auspices of all the Powers who signed the Great International Act of 1856, or whether it be limited to those who guaranteed the order of Succession and the more general principle established by the Treaty of London.

Your Excellency is aware of our sincere desire to pass from our present dangerous position to a regular negotiation, and for a long time past we have understood that all negotiation will prove fruitless, unless it be carried on, in some form or other, under the auspices of the impartial Powers.

We have, therefore, learnt with great satisfaction that the other Powers who by the position which they hold, either in the general affairs of Europe, or in our particular question, are peculiarly called upon to occupy themselves with it, have for some time past, following the initiative of the Cabinet of St. Petersburgh, sought to find the best form for diplomatic intervention. The King's Government appreciate the difficulties which this problem may present in the existing state of affairs, and it perfectly understands that it is not for us to decide a question the solution of which must depend on the wishes and general views of the Powers themselves. To us the form of eventual mediation is a secondary matter, for we should have always the same confidence in the justice and equity of our allies, whether we have to sustain our rights before an assembly more or less limited of impartial Powers, or whether the question be discussed alone or in conjunction with the other political questions which agitate Europe. What concerns us, and is of vital importance to us, Russia has perfectly understood, namely, that mediation should intervene before blood should have begun to flow.

I beg your Excellency to thank the Vice-Chancellor warmly for the initiative he has taken in this affair. I am firmly persuaded that the Russian Cabinet will persist in its benevolent efforts in our cause, and I have no doubt that the Prince will succeed in realizing, in one form or another, the idea of mediation, of which he was the first to perceive the great necessity for the preservation of peace.

Have the goodness to read this despatch to the Vice-Chancellor, and to give him a copy of it.

I have, &c.
(Signed) D. G. MONRAD.

No. 634.

Sir A. Paget to Earl Russell.—(*Received January* 9.)

(Extract.) *Copenhagen, January* 3, 1864.

BISHOP MONRAD called on me on Thursday evening the 31st ultimo, and stayed with me for some time.

After Lord Wodehouse's negotiations, it is unnecessary that I should relate at any length my conversation with the Bishop, possessing, as it only can now, a relative interest.

I may state, however, in general terms that his Excellency's language was anything but calculated to give hopes of his making an effort to maintain peace. His Excellency spoke of the immense difficulty which he felt in proposing a Conference, in consequence of the attitude of France, who, he felt convinced, would not agree to it; of the excited state of the public mind in Denmark, which would admit of nothing which had even the appearance of a concession; and of the resistance which Denmark was able to make if even abandoned to her own resources. He said that he looked upon the last proposal of Austria and Prussia to the Diet as tantamount to a declaration of war, and that, if it was voted, it would only require the orders of the Ministers of War to make it complete; and he repeated more than once that, in the present state of affairs there was nothing left but to "lancer le peuple."

I replied by stating, as clearly and forcibly as I could, the immense advantage which it would be to Denmark if negotiations could be substituted for war; the support she might expect in the one case, and her entire isolation in the other. I suggested that the Danish Government could have no possible reason for not coming forward with some proposal which, admitting it to be not entirely calculated to satisfy Germany, might at all events be such as could be accepted by the allies of Denmark as offering a basis for negotiation.

Bishop Monrad said that if an arrangement which should be really definitive could be proposed to the Danish Government, great sacrifices might be made, but they would hear of no concession whatever to obtain a merely temporary result. His Excellency repeated this observation more than once, and I was careful to report it to Lord Wodehouse, and your Lordship's despatches, which arrived the next morning, enabled his Lordship to take advantage of it in his conversations with the Bishop.

In reply, I said that I thought for obvious reasons any new proposal should now come from the Danish Government; that Lord Wodehouse would still be here several days, and would, I was convinced, be only too happy to discuss with his Excellency any plan of arrangement, and be the bearer of it to Her Majesty's Government.

The Bishop's reply to this was not very encouraging.

His Excellency left me to accompany the King to Korsör on His Majesty's way to Schleswig. At Korsör he met M. Quaade, and returned with him to Copenhagen the next morning.

Lord Wodehouse saw M. Quaade in the afternoon, and endeavoured to induce him to accept the Ministry for Foreign Affairs.

M. Quaade is really anxious to be of use in the present crisis, and Bishop Monrad is most desirous to have the advantage of his services; and it may therefore be hoped in the event, which I fear is probable, of his not being able to accept for any lengthened period the direction of the Foreign Office, the influence of his moderate and conciliatory views will be felt at the commencement of the negotiations.

As soon as M. Quaade came to me, I sent to inform Lord Wodehouse. His Lordship immediately arrived, but before his coming I had heard sufficient from M. Quaade to make me think it of paramount importance that Lord Wodehouse should see Bishop Monrad without delay, and to the forcible representations which his Lordship addressed to his Excellency on this occasion must, I consider, be attributed the stage at which proceedings have now arrived.

If I was to lay before your Lordship a detailed account of what was said to me by M. Quaade on the general question, I should, I believe, be merely repeating what will be more ably stated to your Lordship by Lord Wodehouse, and I therefore refrain from occupying your time for this purpose. I think it right, however, to bear my testimony to the reasonable opinions expressed by M. Quaade, contrasting as they do with the uncompromising doctrines we have hitherto had to deal with.

No. 635.

Sir A. Paget to Earl Russell.—(*Received January* 9.)

My Lord, *Copenhagen, January* 5, 1864.

I HAVE the honour to inform your Lordship that the Danish Government has called into active service the Infantry Reserves of 1853, 1854, and 1855, together with the men on furlough from 1860 and 1861.

I have, &c.
(Signed) A. PAGET.

No. 636.

Mr. Gordon to Earl Russell.—(*Received January* 9.)

My Lord. *Stuttgardt, January* 6, 1864.

I HAD the honour to receive on the evening of the 3rd instant by extra messenger from Cologne your Lordship's despatch of the 31st ultimo;* and next day I gave a copy of the same to Baron Hügel, as directed by your Lordship.

I saw Baron Hügel again yesterday after he had had the opportunity of submitting your Lordship's despatch to the King, and the reply which his Excellency made, by His Majesty's commands, to the proposal of Her Majesty's Government that a Conference of the Powers who signed the Treaty of London, together with a Representative of the German Diet, should sit in London or Paris, to treat of the differences between Germany and Denmark, was to the following effect:—

The King of Wurtemberg has no objection on principle to the assembling of such a Conference, but he is a member of the German Confederation, and in such a matter must conform himself to the decision of the Diet, which was not yet pronounced on this proposal; but that in the meantime France had declined to take part in such a Conference, which would render its being assembled impossible.

I said your Lordship's instructions certainly had not contemplated the refusal of France to join in the Conference, and I did not know that in the opinion of Her Majesty's Government such a refusal would render the idea abortive; that I had only to do with the course which the Government of Wurtemberg would take, and as the King was a member of the German Confederation I must ask Baron Hügel to inform me whether His Majesty's Representative at the Diet would be instructed to vote in favour of the proposed Conference when the question came to be considered in the Diet.

Baron Hügel replied that it was impossible to answer my question, because the proposal for the Conference had been submitted to the "Ausschuss," or Committee, to report upon, and it was not until the several Governments had received this Report that they could instruct their Representatives how to vote upon it.

I have, &c.
(Signed) G. J. R. GORDON.

No. 637.

Mr. Murray to Earl Russell.—(*Received January* 9.)

My Lord, *Dresden, January* 6, 1864.

WITH reference to my despatch of the 5th instant, in which I inclosed copy of note which I addressed to M. de Beust, embodying the contents of your Lordship's telegram of the previous day, I have now the honour to inclose herewith to your Lordship copy of the reply which I have just received from his Excellency.

I have, &c.
(Signed) CH. A. MURRAY.

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* No. 579.

Inclosure in No. 637.

M. de Beust to Mr. Murray.

Monsieur, *Dresde, le 5 Janvier,* 1864.

JE viens de recevoir la note que vous m'avez fait l'honneur de m'adresser aujourd'hui même, et je me hâte d'y répondre.

Vous me faites connaître la substance d'une dépêche de M. le Comte Russell, en ajoutant que vous n'avez pas reçu l'ordre de me la communiquer. Je regrette que vous ayez cependant jugé convenable de m'en donner connaissance, car vous ne sauriez méconnaître la nécessité où je me trouve de relever des passages dont le langage blessant égale la légèreté d'assertions allant jusqu'à attaquer l'honneur de notre drapeau.

Vous dites, "que d'après l'avis du Gouvernement Anglais la conduite des troupes Allemandes en Holstein a été contraire non seulement au décret de la Diète, mais aussi à la justice, et que la Bavière, la Saxe, et le Wurtemberg doivent s'en partager la responsabilité."

C'est pour la première fois que j'entends parler d'une pareille conduite de nos troupes dans le Holstein. Je serais tenté de vous demander des faits à l'appui d'une accusation aussi hasardée. Si j'y renonce, c'est que la conduite des troupes Fédérales dans un pays de la Confédération, où elles se trouvent par suite d'un Arrêté de la Diète, est un sujet qui ne concerne en rien un Gouvernement étranger.

Vouloir en rendre responsable les Gouvernements de Bavière et de Wurtemberg, qui n'ont pas même envoyé de troupes, c'est donner une preuve de plus de l'ignorance des choses qui se passent en Allemagne.

Vous me dites enfin que si les troupes de la Confédération envahissent le Slesvig avant que les Puissances signataires du Traité de Londres aient pu faire connaître leur opinion à ce sujet, les conséquences les plus sérieuses pourront en résulter.

La Diète, vous le savez, est effectivement mise en demeure de se prononcer sur des propositions qui lui ont été faites par rapport au Duché de Slesvig.

L'avertissement que le Gouvernement de Sa Majesté Britannique veut nous donner est bien de nature à fixer l'attention du Gouvernement du Roi. Il ne se refusera pas à le prendre en sérieuse considération. Mais vous me permettrez de vous faire observer que pour tout Gouvernement jaloux de son honneur et de sa dignité il serait difficile d'imaginer un moyen plus efficace pour lui faire braver les conséquences d'une décision dictée par le sentiment du devoir que ne l'est l'emploi de la menace.

Veuillez, &c.

(Signé) BEUST.

(Translation.)

Sir, *Dresden, January* 5, 1864.

I HAVE just received the note which you have done me the honour to address to me this day, and I hasten to answer it.

You inform me of the substance of a despatch from Lord Russell, adding that you have not received any order to communicate it to me. I regret that you should, nevertheless, have thought fit to bring it to my knowledge, for you could not be ignorant of the necessity which I feel of noticing passages, the wounding language of which is equal to the looseness of assertions tending to attack the honour of our flag.

You say that according to the opinion of the English Government the conduct of the German troops has been contrary not only to the decree of the Diet but also to justice, and that Bavaria, Saxony, and Wurtemberg must share the responsibility of it.

It is the first time that I hear of such conduct on the part of our troops in Holstein. I should be tempted to ask you for facts in support of so rash an accusation. If I abstain it is because the conduct of the Federal troops in a country of the Confederation in which they are stationed in consequence of a Resolution of the Diet, is a subject which in no way concerns a foreign Government.

To attempt to render the Governments of Bavaria and Wurtemberg, who have not even sent troops, responsible for it, is to give a further proof of ignorance of the affairs which are taking place in Germany.

You finally inform me that if the troops of the Confederation invade Schleswig before the Powers signatary of the Treaty of London have been able to make known their opinion on this subject, the most serious consequences may ensue.

The Diet, you are aware, is in fact in a position to pronounce itself on proposals which have been made to it with regard to the Duchy of Schleswig.

The warning which the Government of Her Britannic Majesty gives us is certainly of

a nature to ensure the attention of the King's Government. They will not refuse to take it into serious consideration. But you will permit me to observe to you that it would be difficult to imagine a more efficacious means than the employment of menace for causing any Government, jealous of its honour and dignity, to brave the consequence of a decision dictated by a sentiment of duty.

I have, &c.
(Signed) BEUST.

No. 638.

Consul-General Crowe to Earl Russell.—(*Received January* 9.)

My Lord, *Leipzig, January* 7, 1863.

SINCE the date of my last despatch, the German public has been made acquainted with the tenor of the preamble or "motiven" of the Resolution submitted by Austria and Prussia to the Diet of Frankfort; I allude to the Resolution in which the Bund is required to sanction the occupation of Schleswig till such time as the Danish Government shall have performed the promises contained in the Diplomatic Convention of 1851-52. Since then the proposal subsequently made by M. von Kübeck to the Diet with the view of expelling the Prince of Augustenburg from the Duchies has been thrown out by a majority of two.

On the other hand, the Saxon and Wurtemberg Governments have solemnly declared to the Parliaments of Dresden and Stuttgardt, that they are resolved to pursue with unvarying purpose the recognition of the title of the Augustenburg line to the "Duchy of Schleswig-Holstein."

The answers of Hesse-Darmstadt and Brunswick to the last Austro-Prussian circular in the matter of the Elbe Duchies have also been printed; and they create the presumption that these States also are favourable to the German solution of the question of Succession.

As regards Denmark, it is known that Dr. Monrad is at the head of a new Ministry as Copenhagen; that hitherto no symptoms of a withdrawal of the November Constitution are perceptible; and the Danish forces still occupy the villages on the north bank of the Eider, claimed by the Confederation as part of the territory of Holstein. Rumours that an assault of the Kronwerk of Rendsburg impends were spread to-day throughout this city.

With reference to this state of things I gather from the open expression in the public and the Press here that the greatest bitterness is engendered by the policy of the Austrian and Prussian Governments, which are openly accused of betraying the German cause. Nor is this accusation confined to one class of politicians. It is expressed with greater force perhaps in the Government Press than in the independent journals. The "Leipziger Zeitung" (Government organ) of this day writes a vehement article to prove that "the reservation of the question of Succession" in the Austro-Prussian motion for withdrawal of the Danish Constitution, "is a mere play upon words." The motion cannot be entertained, it continues, because the only reason for its proposal lies in the obvious desire to prererve the *locus standi* of the Treaty of London. For it is clear that were Schleswig occupied, and then guarantees given by Denmark for the autonomy of the Duchies, the Succession in the person of His Majesty the King of Denmark would be virtually affirmed; whereas the sole aim of the policy of the middle States is "to put an end to the possession of the Duchies by Denmark." Saxony will therefore be found with Wurtemberg, Bavaria, and other Minor States, voting, on the question of the occupation of Schleswig, in the Bund against Austria and Prussia.

If the newspapers are to be believed, both the Cabinets of Berlin and Vienna are very angry with the unanimity of the Third Estate in Germany; and M. von Bismarck is said to threaten a break-up of the Bund, and the forcible assumption of the whole question into the hands of Austrian and Prussian commanders and troops. This would be an undoubted step towards a civil war, and sorely lacks confirmation; but there is a means apparently at hand, which Austria can use in its "presidial" capacity at Frankfort. It can work the forms of the House, and keep the Succession question outside by the introduction of ever-recurring "presidial" motions in the Diet. This course it has already pursued, and will possibly be induced to pursue still further. I need not point out to your Lordship, however, that there is a latent danger in this mode of postponing a burning question.

I am of course not able to say how far the two great Powers are likely to go in

direct opposition to the expressed opinions of all parties in Germany. I cannot say that Liberal Germany contemplates asserting those opinions by illegal or revolutionary means; nor do I pretend to judge what effect the decided attitude of the Governments of the Minor States may have upon the conduct of their subjects; but I believe that the Succession question in Schleswig and Holstein is destined to exercise a great influence on the fortunes of this country.

I have, &c.
(Signed) J. A. CROWE.

No. 639.

Earl Russell to Earl Cowley.

My Lord, *Foreign Office, January* 9, 1864.

ON considering your Excellency's despatches of the 5th and of the 7th instant, Her Majesty's Government have to observe, that the real difficulties in the way of a settlement of the differences between Germany and Denmark are much less grave than are supposed at Paris.

In 1852 France, Great Britain, Russia, and Sweden, were of opinion, with Austria and Prussia, "that the maintenance of the integrity of the Danish Monarchy, as connected with the general interests of the balance of power in Europe, is of high importance to the preservation of peace."

It is of no less importance at the present time; and therefore the first thing to be agreed upon is to maintain the Treaty of 1852.

With regard to Holstein and Lauenburg, they must be left, according to the same Treaty, to their Federal rights and obligations.

It must be presumed that when those obligations are fulfilled by the King of Denmark, Holstein will be evacuated by the Federal troops.

The real difficulty lies, therefore, in the Duchy of Schleswig. All the efforts of the non-German Powers therefore should be directed, first, to obtain the repeal of the Constitution of November 1863; secondly, to procure for the Duchy of Schleswig such a position as may be in conformity with the promises made by Denmark to Austria and Prussia in 1851, and announced by the late King of Denmark in his Proclamation of January 1852.

Were France, Great Britain, Russia, and Sweden to work together strenuously for these objects, Her Majesty's Government are assured that Germany and Denmark might be reconciled on terms honourable to all parties.

I am, &c.
(Signed) RUSSELL.

No. 640.

Earl Russell to Mr. Murray.

Sir, *Foreign Office, January* 9, 1864.

I HAVE received your despatch of the 28th ultimo, giving an account of a conversation you had with M. de Beust.

It will be well to remind M. de Beust that, in giving the opinion of Saxony on the Treaty of London of 1852, he himself being then the Saxon Minister of Foreign Affairs, did not content himself with giving an assent to that Treaty, but accompanied that assent with a high eulogy of the wisdom of its provisions.

He should also be reminded that on the present occasion, instead of a bare submission of his own opinion to the high authority of the Diet, he has been one of the foremost agitators in promoting the repudiation of that Treaty whose wisdom he had so greatly praised.

There is good ground, therefore, not only for asserting with you that the whole international law of Europe would be thrown into confusion, if Powers like Austria and Prussia are to sign Treaties with other Great Powers, and afterwards repudiate them; but it may also be said with truth that the line taken by Saxony with regard to a Treaty which obtained in so marked a manner her assent and approval, must destroy confidence in the stability of any diplomatic relations with that State.

I am, &c.
(Signed) RUSSELL.

No. 641.

*Earl Russell to Sir A. Buchanan.**

Sir, *Foreign Office, January* 9, 1864.

I HAVE received your Excellency's despatch of the 5th instant, reporting the conversation you had had with M. de Bismarck on the subject of the present state of the Danish Duchies question.

It is difficult for Her Majesty's Government to make any definite proposal until they have answers to their proposals for a Conference. But so far as Her Majesty's Government are concerned, they will be willing to postpone the meeting of the Conference till the period when Denmark shall have repealed that part of the new Constitution which applies to Schleswig. But in that case any invasion of Schleswig must also be postponed till the repeal can be made in a Constitutional manner. It is also necessary in the opinion of Her Majesty's Government that the two principles laid down in my despatch of the 28th ultimo, should be agreed to by Austria and Prussia, namely:

1st. That the maintenance of the integrity of the Danish Monarchy, as connected with the general interests of the balance of power in Europe, is of high importance to the preservation of peace; and

2nd. That the German inhabitants of the States and dominions placed under the sceptre of the King of Denmark should have ample security for just and impartial Government, both in the institutions established, and in the choice of men intrusted by the King with the administration of those institutions.

It is believed by Her Majesty's Government that these bases agree with the intentions of Prussia, and that Denmark could not fairly object to them. If the first was laid down as a principle, it would be a security for the King of Denmark; and if the second was equally concurred in, it would be a pledge for his German subjects in the Duchies of Holstein, Lauenburg, and Schleswig.

You may give a copy of this despatch to M. de Bismarck.

I am, &c.

(Signed) RUSSELL.

No. 642.

Earl Russell to Earl Cowley.†

My Lord, *Foreign Office, January* 10, 1864.

I HAVE to instruct your Excellency to ascertain from M. Drouyn de Lhuys whether the Imperial Government would be willing to make, conjointly with Her Majesty's Government and those of Russia and Sweden, a representation to the Diet at Frankfort, setting forth that an invasion by Federal troops of the Duchy of Schleswig, which is not German territory, would be an act of war against Denmark, and would in all probability be resisted as such by the Danish Government; and that before engaging in such an act of aggression, the Diet would do well to consider all the consequences which might result from a war so entered upon by Germany.

The four Powers might further impress upon the Diet the heavy responsibility that it would incur if by any precipitate measures it were to break the peace of Europe before the Conference which has been proposed by the British Government for considering the means of settling the questions between Germany and Denmark, and thereby maintaining that peace, can be assembled.

I am, &c.

(Signed) RUSSELL.

No. 643.

Lord Napier to Earl Russell.—(*Received January* 11.)

My Lord, *St. Petersburgh, January* 5, 1864.

THE French Government have put this question to Prince Gortchakoff:—"Does the Russian Government in the projected discussions respecting the Danish Duchies intend to adhere absolutely to the *status quo*?"

* A similar despatch, *mutatis mutandis*, was addressed to Lord Bloomfield.

† Similar despatches were addressed to Lord Napier and Mr. Jerningham.

To this inquiry the Vice-Chancellor has replied, that in his eyes the *status quo* is at present the Fundamental Law passed by the Rigsraad and accepted by the King. To that *status quo* Russia does not adhere, but Russia recognizes as the basis of any discussion the terms of the Treaty of 1852, the principle of the maintenance of the integrity of the Danish Monarchy.

I have, &c.
(Signed) NAPIER.

No. 644.

Lord Napier to Earl Russell.—(*Received January* 11.)

(Extracts) *St. Petersburgh, January* 6, 1864.

I WAITED on Prince Gortchakoff yesterday forenoon with your Lordship's telegraphic despatch of the 4th instant,* proposing the mediation of England, France, Russia, and Sweden between Denmark and Germany, and a suspension of all hostile acts or preparations on the part of the latter. The proposed mediation to be exercised in connection with the Conferences already suggested.

The Vice-Chancellor said that he would take the orders of the Emperor in regard to your Lordship's overture; he regretted, however, that he must declare his first impression to be unfavourable to the proposal of Her Majesty's Government. Austria and Prussia would almost certainly decline to shape their measures to the demands of the four Powers; the smaller German States, in their present effervescence, would probably not forego their determinations, the offer suggested by your Lordship was an important one: it would be ineffective, and it would not become the four Powers to make an abortive stroke of this sort. It was, in the opinion of the Prince, most desirable that the action of Austria and Prussia should not be separated from England and Russia in any questions of moment. The four Governments, happily now thinking and acting in harmony on a question still more important than that of Holstein and Schleswig, ought not on this matter to be split into two camps, opposed to one another.

Without disputing the weight to be attached to the objections of the Vice-Chancellor, I represented to him that Her Majesty's Government had, no doubt, sought his Excellency's assent at once, because the assent of Russia, if granted, would have a great effect with the other Powers in obtaining their adhesion to the proposal of Her Majesty's Government; and the pressing necessity for arresting warlike preparations, and combining the Powers less directly interested in the controversy for a mediation, was proved by the fact that an attack upon Schleswig appeared imminent, and if that attempt was made, it seemed not improbable that the Germans might find themselves confronted by the armed intervention of Great Britain.

The Vice-Chancellor remarked, in reply, that he could not flatter himself with the hope that his concurrence in the proposal of Her Majesty's Government would have much authority in Germany; and as for the impending attack on Schleswig, it appeared that the proposal of Austria and Prussia for the extension of the Federal occupation to the Danish province had already been declined by the Diet.

No. 645.

Lord Napier to Earl Russell.—(*Received January* 11.)

My Lord, *St. Petersburgh, January* 6, 1864.

IN my Report of yesterday's date I submitted to your Lordship that I had left copies of your Lordship's despatches of the 28th and 31st instants,† respecting the relations of the Duchies of Schleswig and Holstein with the Danish Monarchy, in the hands of Prince Gortchakoff for his Excellency's subsequent perusal, the Minister being at that moment pressed for time. I this morning received from the Vice-Chancellor the inclosed note stating the satisfaction with which he had been made acquainted with your Lordship's views.

I have, &c.
(Signed) NAPIER.

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* For substance, see No. 615.

† Nos. 542 and 579

Inclosure in No. 645.

Prince Gortchakoff to Lord Napier.

St. Pétersbourg, 25 Decembre, 1863. / 6 Janvier, 1864.

JE viens de prendre connaissance des dépêches de Lord Russell du 28th et 31 Décembre, dont vous avez bien voulu me laisser des copies, my Lord. Nous ne pouvons que donner notre complète adhésion à la sagesse des considérations qui y sont exposés. Puissent-elles prévaloir au milieu des passions et des défaillances.

(Signé) GORTCHAKOFF.

(Translation.)

St. Petersburgh, December 25, 1863 / January 6, 1864.

I HAVE taken into consideration Lord Russell's despatches of December 28 and 31, of which, my Lord, you have been so good as to leave me copies. We cannot but give our complete adhesion to the wisdom of the considerations therein set forth. May they prevail in the midst of passion and weakness.

(Signed) GORTCHAKOFF.

No. 646.

Lord A. Loftus to Earl Russell.—(*Received January* 11.)

My Lord, *Munich, January* 5, 1864.

I WAS only able to see Baron Schrenk some days after I had received your Lordship's telegram of the 27th ultimo, inquiring whether it were contemplated that Germany should assist the Prince of Augustenburg to get possession of Schleswig.

At an interview I had with Baron Schrenk on the 31st ultimo I sounded his Excellency on this point. He replied that the only question before the Diet was that of the Succession to the Duchy of Holstein.

If the Diet declared in favour of the rights of Prince Frederick of Augustenburg they were bound to place him in possession of that Duchy. The Duchies of Holstein and Schleswig having been indissolubly united for 400 years, and the same laws existing in both excluding Succession in the female line, Prince Frederick of Augustenburg would no doubt assume the title of Duke of Schleswig, and lay claim to the Sovereignty of that Duchy.

The Diet might recognize that title, in the same way that the King of Italy has been recognized, but such recognition would not impose any necessary obligation for the Diet to assist him in acquiring possession of that Duchy.

The Duchy of Schleswig being non-Federal territory, the Germanic Diet were neither called upon to assist in its defence nor its acquisition. His Excellency instanced the case of Austria in 1859. Austria was then at war in defence of her non-German territory. She applied to the Diet for assistance as a member of the Confederation, but that assistance was then refused at the instance of Prussia, who did not then consider that the interests of Germany were directly concerned.

If, said Baron Schrenk, Prince Frederick of Augustenburg as Duke of Holstein should engage in a war with Denmark to obtain possession of the Duchy of Schleswig, he must appeal to the Diet for succour, and the Diet will have to decide by a majority of votes whether they will afford him the assistance required.

Under present circumstances, however, his Excellency said, no question of this nature had been raised, nor could indeed any future course of action be laid down until the Diet had declared its decision on the claims of Prince Frederick of Augustenburg. He even denied that any agreement had been entered into between Baron Beust and himself (a report of which had been so generally propagated) with respect to the future course to be taken.

I have, &c.

(Signed) AUGUSTUS LOFTUS.

No. 647.

Lord Bloomfield to Earl Russell.—(*Received January* 11.)

My Lord, *Vienna, January* 5, 1864.

IN obedience to your Lordship's instructions I have read to Count Rechberg your despatch of the 23rd ultimo, containing a quotation from Baron de Beust's speech in the Saxon Parliament, in which that Minister advocates the union of the smaller States, with a view if necessary to enforce a true German policy against that which might be supported by Austria and Prussia.

Count Rechberg said this speech was one of many proofs of the difficulties with which the two great German Powers had to contend in their endeavours to give a direction to the decrees of the Bund which should be in conformity with the interests of a peace policy.

I have, &c.

(Signed) BLOOMFIELD.

No. 648.

Lord Bloomfield to Earl Russell.—(*Received January* 11.)

My Lord, *Vienna, January* 5, 1864.

IN conformity with your Lordship's instructions I have read to Count Rechberg your Lordship's despatch of the 28th ultimo, stating two principles which, if kept steadily in view, might clear the dispute between Germany and Denmark, and prevent a war.

I have also delivered a copy of this despatch to his Excellency.

I have, &c.

(Signed) BLOOMFIELD.

No. 649.

Lord Bloomfield to Earl Russell.—(*Received January* 11.)

My Lord, *Vienna, January* 5, 1864.

I HAVE taken the first opportunity since the arrival of the last messenger of reading to Count Rechberg your Lordship's despatch of the 31st ultimo,* respecting the complicated relations of Germany and Denmark, and I have delivered a copy of this despatch to his Excellency.

Apparently Count Rechberg looked upon your Lordship's despatch as containing a very just exposition of the question, but he gave no opinion on the subject, and will probably take time to consider his answer, and communicate with Prussia and the other States of Germany before doing so.

I have, &c.

(Signed) BLOOMFIELD.

No. 650.

Lord Bloomfield to Earl Russell.—(*Received January* 11.)

(Extract.) *Vienna, January* 7, 1864.

I HAVE already informed your Lordship by telegraph of the position in which this Government finds itself on the question now before the German Diet respecting the proposed occupation of Schleswig. I believe the Austrian Government is impressed with the full importance of the difficulties with which the question is surrounded, and that the project of Austria and Prussia to occupy the Duchy has no other object in view than that of preventing the graver complication which would result from an invasion in the name of the Bund, and they feel that one or the other must take place in order to satisfy the just demands of Germany with regard to Schleswig,

I have observed to Count Rechberg that surely the occupation of Holstein ought to

* No. 579.

be a sufficient guarantee, that Denmark was already a severe sufferer from the proceeding, but he said that Denmark was indifferent as to Holstein, and that without a further material guarantee nothing could be obtained. He added, we should not hold the Duchy after we had obtained the satisfaction we have a right to expect.

I said it was war, it was an invasion of Denmark, the Danes would resist, and then hostilities would commence, and where then would it all end?

His Excellency rejoined, that in the hands of Austria and Prussia this proceeding ought not to endanger the peace of Europe; they should proceed without the least intention of retaining possession of it when once the justice of the demands was acknowledged, and the necessary guarantees were obtained.

I reiterated my conviction that an invasion of Schleswig under any form would be a dangerous experiment, notwithstanding any intelligence he might possess as to the attitude that would be assumed thereupon by the Danish Government, and that the only wise and prudent course was for the Powers interested to meet in Conference and discuss the matter, the Federal army remaining in the position which it occupied on the 1st of January pending the negotiations.

I have to add that as Austria appears to have so completely lost ground in Germany, and that as she and Prussia are wholly unable to carry any measure whatever in the Diet, the question may soon arise whether they will not be obliged to take the direction of affairs into their own hands, in order to stem the torrent of revolution which overruns the smaller States, and give a new direction to the policy of the Bund in the Danish question. They must make up their minds to follow it, or withdraw their support from it.

No. 651.

Lord Bloomfield to Earl Russell.—(*Received January* 11.)

My Lord, *Vienna, January 7, 1863.*

I HAVE just asked Count Rechberg what answer I should give respecting the two points brought to his consideration in your Lordship's despatch of the 31st ultimo, a copy of which I have delivered to him.

His Excellency said with regard to the first, "that a Conference of the Powers who signed the Treaty of London, together with a Minister of the German Diet, should sit in London or in Paris, to treat of the differences between Germany and Denmark;" that Austria was ready to attend, and that she would exercise all her influence at Frankfort and with the various Governments to obtain their assent to this proposition, and to send a Representative to the proposed Conference.

With regard to the second, "That until such Conference shall have finished its labours the *status quo* shall be maintained," he asked what I considered to be the precise meaning of these words. I replied that I presumed they applied to the present military position of the Federal forces, and to the general state of the political question.

His Excellency then said that he could answer for nothing as to the *status quo;* the question was in the hands of the Diet, and nothing would satisfy Germany but the abrogation of that part of the Constitution of the 18th of November which applied to Schleswig.

I have, &c.

(Signed) BLOOMFIELD.

No. 652.

Lord Bloomfield to Earl Russell.—(*Received January* 11.)

My Lord, *Vienna, January 7, 1864.*

I HAVE taken the opportunity of reading to Count Rechberg this day your Lordship's telegram, forwarding one from Lord Wodehouse of the 4th instant, to the effect that Bishop Monrad had declared that the occupation of any part of Schleswig would be treated by Denmark as an act of war, which must at all hazards be resisted by force.

I stated to his Excellency, at the same time, that he should bear in mind the serious consequences that would follow an invasion of Schleswig. He seemed, nevertheless, to think the hazard would not be so great.

I have, &c.

(Signed) BLOOMFIELD.

No. 653.

Mr. Gordon to Earl Russell.—(*Received January* 11.)

(Extract.) *Stuttgardt, January* 6, 1863.

I COMMUNICATED the substance of your Lordship's despatch of the 4th instant to Baron Hügel yesterday.

I cannot say that Baron Hügel made any more positive reply as to the serious warning conveyed in this communication against the occupation of Schleswig by German troops than he did to the proposal made by your Lordship's despatch to me of the 31st ultimo, for the assemblage of a Conference on the German-Danish differences.

His Excellency repeated the necessity there was for Wurtemberg as a German State, to guide its belief in such a case by the determination of the Diet, and that the subject was now under the consideration of the Committee of the Diet, to which had been referred the proposals of Austria and Prussia to occupy Schleswig as a material guarantee for the abolition by Denmark of the Denmark-Schleswig Constitution. But that if the Diet should determine in favour of the pretensions of Prince Frederick of Augustenburg to Holstein, he would be entitled, under Article 47 of the Federal Constitution, to call upon the Diet to aid him in maintaining the rights which he claimed over Schleswig.

I could only press earnestly on Baron Hügel the necessity there was for not shutting his eyes to the very serious responsibility the German Governments, and that of Wurtemberg in particular, would incur, who should vote for any act of hostility against Denmark, which the occupation of Schleswig would most certainly amount to. But it appeared evident to me that nothing I could advance would have the smallest effect in preventing this step, because, as I have repeatedly had the honour of stating to your Lordship, this Government, in common with others of the German Middle States, consider that revolution would be the consequence of their firm opposition to the popular will in this matter. That popular will demands at this moment the occupation of Schleswig, and the union of at least the German portion of the Duchy with Holstein, under the sovereignty of Prince Frederick of Augustenburg, with the view of repairing the honour of Germany, which is universally considered to have suffered so deeply in the conduct of the Schleswig-Holstein question for the last ten years.

No. 654.

Mr. Gordon to Earl Russell.—(*Received January* 11.)

My Lord, *Stuttgardt, January* 7, 1863.

I SOUGHT an opportunity yesterday for communicating to Baron Hügel the substance of your Lordship's telegram to me of the 5th instant.

Baron Hügel appeared to wish to understand thoroughly the object of the argument maintained by your Lordship in the above telegraphic communication. I said that I understood it to intimate that in the event of Prince Frederick's pretensions to be Duke of Holstein being recognized by the Diet, Her Majesty's Government were of opinion that that Body were bound in honour and fairness, previous to making public such decision, and so affording Prince Frederick the opportunity of appealing to them to confirm him in possession of the sovereignty by means of Federal troops already on the spot, to order the evacuation of the Duchy, in the first place, by the troops sent to occupy it for a totally different purpose, namely, that of a Federal Execution to compel the King-Duke of Holstein to fulfil his Federal obligations, so that the King-Duke might, if he thought fit, commence his resistance to what would then become a Federal invasion of part of His Majesty's dominions in the Holstein territory itself, instead of being, if this just course was not adopted, reduced to commence his opposition to hostilities by attacking a force already occupying a portion of His Majesty's dominions to which they had gained access under the false pretence of His Majesty being recognized by the Diet as Sovereign thereof.

Baron Hügel could not controvert the validity of this reasoning, but his Excellency did not give me the slightest ground to suppose that it would be admitted and acted upon by the Wurtemberg Government.

I have forwarded to Mr. Baillie the substance of your Lordship's telegram, with instructions to use similar language in conversation with Baron Roggenbach.

I have, &c.

(Signed) G. J. R. GORDON.

No. 655.

Mr. Gordon to Earl Russell.—(*Received January* 11.)

My Lord, *Stuttgardt, January* 8, 1864.

THE reply made by Baron Hügel to the questions addressed to him by the Chamber of Deputies on the policy of this Government in regard to the Schleswig-Holstein question, which I had the honour to forward to your Lordship in my despatch of the 31st December last, was referred by the Chamber to the Constitutional Committee.

The Report of the Committee is now ready, and the inclosure sent herewith is a translation of the Resolutions which it proposes to the Chamber in consequence of their adoption. These Resolutions are to come under the consideration of the Chamber this afternoon, and I have no doubt but that they will be almost unanimously adopted.

It will be very evident from the tone of these Resolutions that, in this country at all events, no alteration has taken place in the feelings of the people as to their determination to continue to follow the extreme course they have entered upon with regard to the Schleswig-Holstein question, and I shall be very much surprised if Baron Hügel, who will probably be present at the debate this evening, gives any indication that the views of the Government have undergone any modification either.

I have, &c.
(Signed) G. J. R, GORDON.

Inclosure in No. 655.

Resolutions proposed for Adoption by the Wurtemberg Chamber of Deputies by the Constitutional Committee.

(Translation.)

THE High Chamber may be pleased with repeated acknowledgment of the Resolution of the Royal Government, and the steps taken by them in consequence in the affairs of the Duchies, to prosecute the views announced by them with all their powers, and to strive for their being carried into execution; but specially—

(*a.*) To direct their efforts towards the speediest recognition of Duke Frederick of Schleswig-Holstein by the German Diet.

(*b.*) To oppose the view apparent in the Austro-Prussian proposal, and on the contrary to claim the occupation of Schleswig with the object of maintaining the indivisible union of the Duchies and the identical line of Succession in both.

(*c.*) To oppose with determination every effort made to remit the Schleswig-Holstein question to the decision of a Conference of non-German Powers.

With the above Resolutions we think ourselves bound to unite the following:—

The High Chamber may be pleased, in consideration of the possibility, that in the general position of affairs and the continued unsatisfactory attitude of the German great Powers, the execution of the expected Resolutions of the Diet for the determined defence of the rights of Germany and of the Duchies of Schleswig and Holstein may demand the employment of the forces of the middle and smaller German States to repeat in increased proportion specially for this case, their Resolution of December 10, 1863, No. 5, by which they declared their readiness to grant constitutionally to the Royal Government all necessary means for the above object, viz., that the mobilization of the Wurtemberg troops appears to be necessary for this purpose.

No. 656.

Mr. Gordon to Earl Russell.—(*Received January* 11.)

My Lord, *Stuttgardt, January* 8, 1864.

THE Austrian and Prussian Ministers here have received identical instructions to warn this Government most seriously against a course of conduct which would produce in the Diet of Frankfort a serious difference between the Great Powers and the middle and smaller German States, and so lead to consequences of the most prejudicial nature to Germany.

The above Ministers have been instructed to declare to Baron Hügel that their Cabinets will not permit either the formation of Free Corps or the passage of an armed force through their territories, if ordered on a service disapproved by them.

I have, &c.
(Signed) G. J. R. GORDON.

No. 657.

Mr. Gordon to Earl Russell.—(*Received January* 11.)

(Extract.) *Stuttgardt, January* 9, 1864.

THE Chamber of Deputies adopted, all but unanimously, in a full House yesterday evening, the Resolutions proposed by the Constitutional Committee, which I had the honour to forward to you Lordship in my despatch of the 8th instant.

The discussion lasted four hours. Debate it was not, as all the speakers, with one exception, who himself voted for the Resolutions, were strongly in favour of the proposals of the Committee, and urged the Government to accede to them by all possible arguments, and specially by showing that in so acting they would meet with the cordial support and approval of the whole people, and would thus avoid revolution.

The course apparently followed by the two great German Powers in the Schleswig-Holstein question was condemned in the most violent terms, and the "Trias" idea, although repudiated in terms as the object of the supporters of the Prince of Augustenburg's claims and of the separation of Schleswig from Denmark, was unmistakably the result to which the policy so strongly advocated by every speaker but one must finally come, if Austria and Prussia continue to maintain the stipulations of the Treaty of London in opposition to the views of the rest of Germany: that policy being the persistence of the middle and smaller States in their determination of maintaining the Succession of the Prince of Augustenburg to the sovereignty of both Schleswig and Holstein, and the complete separation of both from Denmark.

The close alliance and concert of the Governments of Bavaria, Saxony and Wurtemberg in this cause was fully applauded, and the Wurtemberg Government was seriously warned against any step which might tend to weaken it.

In these sentiments the Chamber, of which seventy-five members out of eighty-one were present, expressed its full concurrence by the mouths of twelve speakers, who took part in the discussion, men of all parties, of both creeds, both clergy and laymen.

Baron Hügel was present during the whole discussion, but he only said a few words in confirmation of what he had previously stated as to the determination of the Government to maintain the policy they had announced of supporting Prince Frederick's claims, in concert with Bavaria and Saxony, and in submission to the decisions of the Diet. His Excellency refused to state how the Government would decide as to the Resolutions before the House.

No. 658.

Lord A. Loftus to Earl Russell.—(*Received January* 11.)

My Lord, *Munich, January* 7, 1864.

I HAVE had the honour to receive a copy of a despatch addressed to Her Majesty's Minister at Frankfort, respecting the misused terms "London Protocol" and "Protocol Prince."

I shall not fail to comply strictly with the instructions addressed by your Lordship to Sir Alexander Malet. I may add that I have already on one or two occasions corrected persons who in conversation had used the term of "London Protocol," observing to them that the Treaty of London was a solemn Act ratified by the Sovereigns parties to it, and not an ordinary Protocol bearing only the signatures of their Plenipotentiaries.

I have, &c.
(Signed) AUGUSTUS LOFTUS.

No. 659.

Lord A. Loftus to Earl Russell.—(*Received January* 11.)

(Extract.) *Munich, January 7, 1864.*

HAVING been confined to my room for some days by indisposition, and thinking it important that your Lordship's despatch of the 31st ultimo* should be communicated to Baron Schrenk with the least delay, immediately on its receipt I charged Mr. Trench to place a copy of it in his Excellency's hands, and to express my desire to see him if he could conveniently visit me at an early date.

Baron Schrenk kindly called on me yesterday. After thanking his Excellency for his courteous attention, I inquired what view he took of the proposals contained in your Lordship's despatch, of which I had communicated to him a copy, expressing a hope that they would meet with a favourable reception. Baron Schrenk said that your Lordship's despatch would be laid before the King on that day; he could not give any opinion with respect to the proposed Conference until he had received the King's orders, but he would transmit the reply through Baron Cetto as soon as possible. I urged his Excellency to impress His Majesty with the importance of these proposals: I observed to him that the current which had carried with it Bavaria and other of the minor States of Germany was so impetuous that, if no barrier were raised, it might be impossible to control it, and thus the military measures which had now been pacifically carried out under the form of a judicial Federal sentence would, if extended beyond the Federal territory, bring about war. There appeared to be no other alternative or escape from this calamity except by the means which your Lordship had proposed: I could, unfortunately, see no other outlet from the dangers to be apprehended from the existing fanaticism of Germany on this troubled question. Let His Majesty therefore, I said; consider that his decision may be of paramount importance in the balance of peace or war. Should His Majesty accept the proposed Conference, he will have the pleasurable satisfaction of having done his part to avert a storm which in its course might desolate Europe and blast the growing prosperity and happiness of his country; or, in the other alternative, His Majesty may later have to regret that when the door of peace and conciliation was opened to him, he declined to enter. I further urged on his Excellency an early decision. Events, I observed, were following each other in rapid succession; a collision might, unhappily, take place at any moment, and, if blood once flowed, all efforts for conciliation would be at an end.

Baron Schrenk said that he did not think that the Diet could accept a Conference or the decision of a Conference on the affairs of Holstein, as the Diet was the only competent Body to decide a question which concerned the rights of sovereignty to a German Duchy. But he thought that possibly a Conference as proposed might be available for the settlement of the differences regarding Schleswig, which was an international question.

I replied to him that without denying that the Holstein question was strictly one appertaining to the competency of the German Diet, still I could not see how it would be derogatory to their rights to meet in Conference the other Powers of Europe, with a view to the pacific settlement of this serious question. You are not asked to sacrifice your opinions, or to adopt a course hostile to the interests of Germany; you are only invited to lend your hand to unravel a Gordian knot by a mutual understanding between the Powers of Europe, and not to abandon it to be cut by the sword. Surely, I observed, the cause of humanity, without any other motive, should lead you to accept at once the proposals of Her Majesty's Government.

Baron Schrenk observed that, as your Lordship had lately very justly replied to the French Government, a Conference on a question when the parties to meet held the most directly opposite opinions, is not likely to be attended with success; and there would then remain a greater embarrassment, that of being obliged to leave it. But, inquired his Excellency, how can the Diet take part in the Conference, divided as it now is into two opposite parties? The two Great German Powers support the Treaty of London; the majority of the Diet do not recognize that Treaty: under such circumstances how could the Diet give instructions to their Plenipotentiary? The question of the Succession for us is one of legitimacy. We must act as judges on the basis of right, and not of expediency. The English Government, he observed, had always put forth the principle of not imposing a Sovereign on a nation against its will; "you did so in Greece notwithstanding your Treaty engagements."

I here took the opportunity of reading to him in French the substance of your Lordship's telegram of the 5th instant, and I observed that the Pretender to the Duchy had almost

* No. 579.

followed in the wake of the Federal troops. This gave to the military intervention of the Diet the character of an occupation instead of an Execution. In short, it was nothing more than expelling the Danes under false pretences, and allowing the Pretender to get a footing in the Duchy under the cover of the Federal troops. The conduct of the Federal Commissioner appeared also to have greatly exceeded his instructions, and even to have been at variance with the Decree of the Diet.

Baron Schrenk replied that Prince Frederick of Augustenburg should have abstained from appearing in the Duchy until after the decision of the Diet. He also admitted that irregularities had taken place, but that the national excitement in favour of Prince Frederick rendered it almost impossible to avoid them.

In reply to my question with reference to the Austrian-Prussian proposal before the Diet for the occupation of Schleswig under certain eventualities, Baron Schrenk stated that it was still (together with the Hessian proposal for the immediate occupation of Schleswig) before the United Committee. As yet no agreement had been come to respecting it, but he thought that the two would be fused into one with a view to harmonize dissenting opinions. Bavaria could not, he said, vote for the Austrian-Prussian proposal unless some reserve were made, implying that it did not include a recognition of King Christian as Duke of Schleswig. But he (Baron Schrenk) should not regret an immediate occupation of the Duchy up to the Königsau, the frontier of Jutland, as it would then be a *fait accompli*. The season was now most favourable for an advancing army, the hard frost rendering the Dannewerke more easy of attack, and this auspicious moment should not be lost.

I here requested his Excellency to pause, and to consider the serious gravity of such a step. It would be an act of aggression on the territory of an independent Sovereign, and would necessarily kindle war. The Powers of Europe had declared in a solemn Act, which had been participated in by the two Great German Powers, and to which others had acceded, that the maintenance of the integrity of the Danish Monarchy was a subject of high European interest. Could he therefore suppose that those Powers who had signed that Act would passively witness its gross violation by some of the minor German States? At all events, I said, I can inform your Excellency of the opinions of Her Majesty's Government on this grave point, and I must request that you will lay before the King as vividly as I can express to you the dangers to Germany of pursuing such a course.

I then read to his Excellency in French the substance of your Lordship's despatch of the 4th instant.

His Excellency inquired why Bavaria should be responsible for the invasion of Schleswig? I replied, very naturally, because no Sovereign or Government in Germany has done more to aid and abet the insurrectionary movement against the King of Denmark; consequently you must be prepared to reap what you sow.

Baron Schrenk remarked that no military preparations had been made in Bavaria, and that not a soldier had been moved. I then said that the language of M. von der Pfordten at Frankfort was quite sufficient to compromise his Government, and I much feared that he and General von der Tann might greatly prejudice the King's decision on your Lordship's proposals. I consequently counted on him (Baron Schrenk) to counteract these influences, and I particularly requested his Excellency to lay the subject before His Majesty in the grave aspect in which I had represented it to him.

No. 660.

Lord Wodehouse to Earl Russell.—(*Received January* 11.)

(Extract.) *Copenhagen, January* 7, 1864.

I HAVE the honour to report that in accordance with your instructions I read to Bishop Monrad your despatch of the 28th ultimo, and left a copy with his Excellency.

No. 661.

Lord Wodehouse to Earl Russell.—(*Received January* 11.)

My Lord, *Copenhagen, January* 7, 1864.

I HAVE the honour to report that M. d'Ewers has received orders from the Russian Government to leave Copenhagen at the same time with me, and he will accordingly take his departure to-day.

I cannot omit this opportunity of acknowledging the advantage which I have derived from his cordial and efficient co-operation with me throughout my mission to this capital.

I have, &c.
(Signed) WODEHOUSE.

No. 662.

Lord Wodehouse to Earl Russell.—(Received January 11.)

My Lord, *Copenhagen, January 7, 1863.*

I CANNOT close my mission to this capital without recording my sense of the obligations which I am under to Sir Augustus Paget for his invaluable advice and assistance. He has given me on all occasions the most friendly and effective support, and it is not too much to say that whatever success has attended my representations, is in great measure owing to his intimate knowledge of Danish public men, and of the questions at issue between Denmark and Germany.

I have, &c.
(Signed) WODEHOUSE.

No. 663.

Sir A. Paget to Earl Russell.—(Received January 11.)

My Lord, *Copeahagen, January 7, 1864.*

I HAD the honour to inform your Lordship by telegraph on the 1st instant that the Prussian Minister had been recalled, and that the Austrian Minister was expecting to be so immediately.

Both Ministers anticipated leaving Copenhagen the beginning of this week, but as yet Baron Brenner has received no orders from his Government to do so; and M. de Balan, partly in order not to act differently from his Austrian colleague, and partly on account of a slight indisposition of Madame de Balan, still remains in the Danish capital.

It appears that the Prussian Government in recalling M. de Balan does not contemplate an immediate rupture of relations; a Secretary of Legation, Count Westdehlen, having recently arrived at the Prussian Legation at Copenhagen, whom M. de Balan intends to leave in charge of the archives.

Your Lordship is aware, however, that since the death of Frederick VII, both the Austrian and Prussian Ministers have been residing here in a purely officious character, their credentials not having been renewed.

I have, &c.
(Signed) A. PAGET.

No. 664.

Sir H. Howard to Earl Russell.—(Received January 11.)

(Extract.) *Hanover, January 7, 1864.*

I MENTIONED to Count Platen yesterday the opinion conveyed to me by your Lordship in your despatch of the 5th instant, that if the Diet pronounced themselves in favour of the Prince of Augustenburg's claim to be Duke of Holstein, they ought in the first instance to evacuate that Duchy, and give Denmark the choice of resisting or not, as otherwise a fraud would be committed, and Holstein would have been occupied on false pretences.

Count Platen was evidently anxious to avoid committing himself, for he said he was unable to give an opinion on a case which had not occurred. He did not, however, attempt to deny that your Lordship's proposition was logical.

No. 665.

Sir H. Howard to Earl Russell.—(*Received January* 11.)

My Lord, *Hanover, January* 9, 1864.

COUNT REISET, the French Minister at this Court, communicated on the 7th instant to Count Platen a despatch addressed to him on the 4th instant by M. Drouyn de Lhuys, on the subject of your Lordship's proposal for a special Conference, in order, to treat of the differences between Germany and Denmark.

In the beginning of this despatch M. Drouyn de Lhuys states the considerations which had in the first instance induced the French Government to decline entertaining your Lordship's proposal, and which were founded upon the conviction of the superior advantages which such a general Conference as they had proposed would have had towards bringing about a settlement of the pending differences.

He then passes in review the present state of things, remarking that the Conference of London had been, as was sufficiently proved by all that had since occurred, inoperative ("une œuvre impuissante"), and that some of the Governments who had acceded to the Treaty of London of 1852 had come forward in support of the pretensions of the Prince of Augustenburg. He says that, under existing circumstances, the French Government are disposed in the interest of peace, which they have so much at heart, to waive their preference for their own plan of a grand Conference or restricted Conference for the consideration of the matters in dispute, and to agree to your Lordship's proposal of a special Conference contingently upon their obtaining information on some preliminary points. Having already expressed his regret that the German Confederation was not made a party to the Treaty of 1852, he urges the necessity of its taking a part in the Conference at present proposed; and says that the French Government, before returning a definitive answer to Her Majesty's Government, are desirous of ascertaining whether it will be disposed to do so. He then insists upon the necessity of the maintenance of the *status quo* in the meantime, that is to say, that the pending questions should be reserved.

In conclusion, M. Drouyn de Lhuys requests to be informed how far the Hanoverian Government are inclined to give their consent to the proposal of a special Conference for the settlement of the affairs of the Duchies, and to vote for it at the Diet.

Count Reiset informs me that Count Platen replied to him that Hanover was too small a Power to be able to take a line of her own in this matter; that it would therefore be necessary for him, before giving an answer to the proposal, to sound at Frankfort the views of the other German Governments. Count Platen added, that in the position in which Hanover was, it was requisite for her to avoid placing herself in a minority at the Diet. He professed at the same time an earnest desire for the maintenance of peace.

Count Platen's account to me of his reply to Count Reiset, although more succinct, corresponds with the above.

I have not failed to renew to Count Platen the expression of my hope, that now that the French Government have assented to the Conference, he will shortly be enabled to communicate to me the acquiescence in it of his own Government. But his Excellency repeated that he must first ascertain the views of the German Governments.

I have, &c.
(Signed) HENRY F. HOWARD.

No. 666.

Sir H. Howard to Earl Russell.—(*Received January* 11.)

My Lord, *Hanover, January* 9, 1864.

IT is to-morrow that the so-called "National Meeting," convoked by the Committee for the Defence of the Rights of Schleswig-Holstein is to take place in this residence for the purpose of urging the popular demands in respect to the recognition of the Prince of Augustenburg as Duke of Schleswig-Holstein, and to the support of his cause. The real object of this meeting is to exercise a pressure upon the Hanoverian Government and induce them to give up their Treaty engagements.

Count Platen tells me that the Government will not allow themselves to be intimidated by any resolution which may be passed at this meeting, and that whilst they considered themselves legally unable to forbid it, they will see that it keeps within the laws, and consequently that it does not subordinate itself to the Permanent Central Committee of the Extra-Parliamentary Assembly recently held at Frankfort. His

Excellency also informs me that the Government have prohibited the recruiting offices and collections from house to house for the Schleswig-Holsteiners—in fact that they are doing what is in their power in the matter.

I am nevertheless inclined to believe that the Government look with much anxiety to this proposed monster demonstration.

I have, &c.
(Signed) HENRY F. HOWARD.

No. 667.

Sir H. Howard to Earl Russell.—(Received January 11.)

(Extract.) *Hanover, January 9, 1864.*

ON the occasion of the entrance on the 31st ultimo of the Hanoverian troops into the town of Elmshorn in Holstein an ovation was prepared for General von den Knesebeck, their Commander.

The procession which had been formed having repaired to the General's residence, the mouthpiece of this tumultuous assembly addressed to him a speech in which, after referring to the joy with which the troops had been received, he said, "Without their presence we would not have been able to do our homage to our beloved Sovereign (the Prince of Augustenburg), nor would he have been able to appear personally amongst us. But this general feeling of joy is only the precursor of more serious combats. Your and our thoughts go further. We know full well that you and your brave troops long for the moment when the drums shall beat and the thunder of cannon shall reach the ears of our enemies; and tell them that the period of hollow peace is at an end, and the long wished for moment for squaring accounts has arrived. The frost is throwing its bridges across the Schlei and the Eider. May it be granted to you, General, soon to see the day on which the black, red, and gold banner shall float from the Castles of Gottorp and Hadersleben" (in Schleswig).

General de Knesebeck is reported to have replied:—

"I thank you, Gentlemen, most cordially for the noble sentiments you have expressed. We take the livelivst interest in the joy of this country. Our wishes and yours correspond. Our King also is sincerely desirous of rendering you efficient assistance. For the third time we Hanoverians march to Schleswig and Holstein, and hope that it will not be in vain. Be persuaded that my men will do everything in their power. Accept from me more particularly the same assurance. Once more your wishes are mine. The result, it is true, does not depend on me, but God will be with us and with you."

I submitted a couple of days ago to Count Platen the newspaper in which an account was given of these proceedings, and called his Excellency's attention to the extreme impropriety there was in an officer holding General de Knesebeck's position having held such language as that which was attributed to him.

No. 668.

Sir H. Howard to Earl Russell.—(Received January 11.)

(Extract.) *Hanover, January 9, 1864.*

COUNT PLATEN told me yesterday that no decisive progress had yet been made at the Diet in respect to the various questions pending before it, viz., the proposal of the President for the removal of the Prince of Augustenburg from Holstein, the Austro-Prussian proposal for the eventual occupation of Schleswig should Denmark refuse to repeal the Constitution for Denmark and Schleswig of the 18th of November last, the proposal of Hesse-Darmstadt for an immediate occupation of Schleswig, and the consideration of the Succession question.

I have endeavoured to persuade Count Platen to decide the question of the removal of the Prince of Augustenburg by giving the vote of Hanover in favour of the proposal of the Austrian President of the Diet, but his Excellency says that in this, as in the other pending questions, it is necessary for him, in order to avoid a popular outbreak in this country, to adopt a middle course. The Hanoverian vote was to the effect that the Federal Commissioners should be instructed that as long as the Prince of Augustenburg did not proceed to any Government acts, his residence in Holstein as a private individual could not be prohibited, but that it should be submitted to him not to increase by his presence the difficulties of the Commissioners. His Excellency observed that he thought such a vote answered all the purposes required, and intimated that the Prince's Proclamation could hardly be viewed in any other light than that of a Government act.

His Excellency repudiates altogether all connection with the Governments of Saxony,

Bavaria, and Wurtemberg on these questions, and says that he is not even acquainted with the agreements they have come to, and will have nothing to do with them.

The warlike spirit in this part of Germany is on the increase.

No. 669.

Sir H. Howard to Earl Russell.—(*Received January* 11.)

My Lord, *Hanover, January* 9, 1864.

I HAVE the honour to report to your Lordship that Count Platen has stated to me that it had been left to the Federal Commissioners in Holstein to occupy or not the Crown work at Rendsburg and the six villages in Schleswig beyond the Eider, claimed by Germany as belonging to Holstein.

His Excellency professes to be ignorant whether the Commissioners intend to insist upon the evacuation by the Danes of these points. I see by the newspapers that General De Hake, the Commander-in-chief, has summoned them to do so, but I conceive that your Lordship must be furnished with reliable information on the subject.

I have. &c.

(Signed) HENRY F. HOWARD.

No. 670.

Sir A. Malet to Earl Russell.—(*Received January* 11.)

My Lord, *Frankfort, January* 8, 1864.

I HAVE the honour to report to your Lordship that in the sitting of the Diet held yesterday, your Lordship's despatch of the 31st of December, which had been communicated to the President by my note of the 2nd of January, forwarded to your Lordship in my despatch of the 4th of January, 1864, was referred to the Committee for the affairs of Holstein.

I have, &c.

(Signed) A. MALET.

No. 671.

Sir A. Malet to Earl Russell.—(*Received January* 11.)

(Extract.) *Frankfort, January* 8, 1864.

IT will not surprise Her Majesty's Government to learn that the communications I have been instructed by your Lordship to make to the President of the Diet, and to request his Excellency to lay before the Assembly, are received by a majority of that Body with disfavour.

The wish to sever Schleswig from Denmark has taken such root in the German mind that the project will not be abandoned without extreme reluctance.

On the one hand the establishment of the Augustenburg family in the rule of the two Duchies is regarded by the ultra-Conservatives as giving a vassal to Prussia; while on the part of the Democrats and Progressists, it is thought that it will be less difficult to disembarrass themselves of a comparatively weak member of the Germanic Confederation, than could be the case if the King of Denmark remained Sovereign of the Duchies.

Again, it is observed that the Diet has no organ in England through which replies can be given to communications which Her Majesty's Government address directly to them.

But the Representatives of all the petty States think themselves entitled to criticize and discuss such official documents as are laid before them, and being under a very different weight of responsibility from that which affects the greater Powers are determined to show their independence by endeavouring to compromise Austria and Prussia, who they believe must fight their battles for them.

The tension of the public mind is very great, and I am bound to say that there is a wonderful indifference to our representations, while they are at the same time resented as interfering with a cherished project.

There is an absolute persuasion that England will not interfere materially, and our counsels, regarded as unfriendly, have no weight.

The Governments of the smaller States are quite powerless before the existing agitation, and many of them strive to conciliate it by going ahead of the popular wishes.

I hear nothing of replies being yet in preparation, and the opinion that I have already had the honour of expressing that they would be delayed, seems likely to be realized in

the hope that events will give plausibility to the rejection which it is desired to make of our proposals.

No. 672.

Sir A. Malet to Earl Russell.—(*Received January* 11.)

My Lord, *Frankfort, January* 9, 1864.

AN erroneous report has been in circulation, which, having found its way into the English Press; it is right should be contradicted. I allude to the statement that a division of 9 votes to 7 took place in the Diet on Saturday the 2nd instant, on the question of allowing Prince Frederick of Augustenburg to remain in Holstein.

No such division took place. The matter was discussed in the Diet on that and on subsequent occasions, and it is very likely that such would have been the proportion of votes had the matter come to a division.

It was, however, felt that to publish such a vote to the world would be a public scandal, and the President avoided bringing the question to that decision. It is quite true that no orders were given to the Commissioners to interfere in any way,—a signal proof of the weakness of the two great German Powers, and of the laxity of principle which prevails on all that relates to this question; the Pretender to the Dukedom of Schleswig and Holstein not only having entered Holstein without hindrance, but being left wholly to his own discretion as to remaining there or not, in flagrant violation of public law.

I have already had the honour of stating to your Lordship the language I used to the President of the Diet in anticipation of this step of Prince Frederick's in my despatch of the 18th of December last, and I have taken every occasion that has since offered of pointing out the dangers of the proceeding, as well as the stamp of bad faith which it affixes to the measure of Execution.

I have, &c.
(Signed) A. MALET.

No. 673.

Sir A. Malet to Earl Russell.—(*Received January* 11.)

My Lord, *Frankfort, January* 9, 1864.

THE Committees of the Diet hold daily sittings; and it transpires that stormy discussions take place among the members relating to the Danish question. It is even said that matters have come to such a pitch that both Austria and Prussia have declared they will refuse submission to majorities on certain points. What these points may be I am unable to state with certainty, but am told that they involve acts which would induce immediate collision with the Danish forces guarding the Schleswig frontier; a contingency which M. von der Pfordten does not shrink from, and is supported in his views by nearly all the Ministers of the minor States excepting Mecklenburg, Luxemburg, and Nassau. Unfortunately the vote of Nassau (and I beg to signalize the correctness of the Duke's views) is at present with Brunswick by the rule of alternation, and is given with the majority.

The question of the Augustenburg Succession is understood to have been delayed for examination of documents of great importance presented to the Committee by the Oldenburg Government, and it is also said that Prussia either has made, or given notice of being about to make, communications having important bearings on the subject.

As relates to all points connected with the Treaty of London, which the majority of the Diet, headed by the Bavarian Envoy, persists in ignoring, I have much satisfaction in pointing out to your Lordship that the President of the Diet has, as I learn, uniformly and consistently maintained the validity of the Treaty, making it, however; contingent on the observance of the Danish engagements of 1851-52.

The joint proposition of Austria and Prussia for eventually seizing on Schleswig as a pledge, as well as the Grand Ducal Hesse proposition for immediate occupation of that Duchy, reported in my despatch of the 29th ultimo, are still under deliberation in Committee, and I am promised the earliest information of the nature of the Report.

Your Lordship need not, I think, apprehend hasty decision on this vital point, for the vote of the Diet will hardly be taken on so important a measure within less than fourteen days after the Report has been made.

I have, &c.
(Signed) A. MALET.

No. 674.

Sir A. Buchanan to Earl Russell.—(*Received January* 11.)

(Extract.) *Berlin, January* 9, 1864.

THE "Volks Verein," a club connected with the party of the "Kreuz Zeitung," has published an address calling upon all patriotic persons to organize themselves into societies for the purpose of collecting and distributing warm clothing to the Prussian troops of Execution.

General Roon, the Minister of War, has addressed a letter, published in the "Kreuz Zeitung," to the President of one of these societies, highly commending the object of the undertaking, and concluding with the following remarks on on the present crisis:—

"Prussia, such is my convictiou, stands on the threshold of great events. The question at stake is not a local struggle for a specific object, but the entire political future of our beloved country. Nothing, therefore, is more pressing, nothing more important, than the concentration of all the national forces for the purpose of maintaining the honour of the country and increasing to the utmost extent its political preponderance. Only upon the condition of every one of us energetically—each according to his means—striving for the attainment of this great object is there a certainty, in presence of the machinations of hostile parties, that they will be secured: but, with God's help, they will be secured."

No. 675.

Sir A. Buchanan to Earl Russell.—(*Received January* 11.)

My Lord, *Berlin, January* 9, 1864.

I AM assured that the language of the Representatives of the smaller German Courts here has become more moderate within the last two days, and that they now, apparently, consider a Conference on the Danish question as a desirable measure through which the patrons of the Prince of Augustenburg may be able to withdraw with decency from the dangerous position which they at present occupy.

The attitude of the Great Powers, and more particularly of Prussia, has become a cause of anxiety to them, and the real object of the Prussian armaments, it is surmised, may not be the ostensible one.

The number of men who have been mobilized, or who are in the previous stage of preparation for active service, are believed by some persons to amount to 260,000, seven corps d'armée having received orders to prepare for service;—and to the question which is daily discussed as to what M. de Bismarck proposes to do with so large a force some are disposed to answer that his position towards Germany is more likely to require its services than the possible war with Denmark. The language held by General Roon, as reported in my despatch of this date, would seem to confirm this view of the case, and the belief of the Government in the approach of a crisis in the affairs of Germany and Europe, of which they intend to avail themselves to advance the interests of Prussia.

It seems to be generally believed that if the Diet were to acknowledge the Prince of Augustenburg as Duke of Holstein, and if His Highness were to attempt to remove to Holstein the troops said to be recruited for him in Gotha, and for whom arms, according to reports in the "Kreuz Zeitung," appear to have been ordered at Liège, Prussia would oppose their passage.

I have, &c.

(Signed) ANDREW BUCHANAN.

No. 676.

Sir A. Buchanan to Earl Russell.—(*Received January* 11.)

(Extract.) *Berlin, January* 9, 1864.

I LEARN from the Russian Chargé d'Affaires that he saw M. de Bismarck two days ago, and expressed a hope to his Excellency that Austria and Prussia would not carry out their proposal for the invasion of Schleswig in the event of the Danish new Fundamental Law not being immediately repealed; but he found his Excellency unwilling to listen to any explanations on that subject.

No. 677.

Sir A. Buchanan to Earl Russell.—(Received January 11.)

(Extract.) *Berlin, January* 9, 1864.

I CALLED upon M. de Bismarck this morning and placed in his hands a memorandum containing the substance of your Lordship's telegram of yesterday, in which you inquire whether the Prussian Government would accept as a basis for the negotiations on any Conference which may be held for the arrangement of the differences between Germany and Denmark :—

1st. That the Treaty of London should be maintained.

2nd. That full security should be taken for the good government of the German dominions of the King of Denmark.

M. de Bismarck said, until he had spoken with the King and consulted the Austrian Government, he could only express his personal opinions, which were not opposed to the principles laid down by your Lordship; but that the nature of the securities to be taken for the German subjects of the King of Denmark would require to be more clearly described. I begged him to state what he would require, and at his request I interlineated after "dominions," "or the subjects of German race," and after "the King of Denmark," I added, "in conformity with the engagements contracted by Denmark to Germany in 1851-52."*

It was then agreed that he would submit the memorandum to the King and communicate with Count Rechberg, and that he would endeavour to give me an answer in a couple of days.

In expressing himself personally, however, in favour of the principles proposed by your Lordship as a basis for negotiation, he repeated his previous objections to a suspension of hostilities during the Conference which it is hoped may be agreed upon, and urged his former arguments in favour of Her Majesty's Government withdrawing their opposition to the occupation of Schleswig. I replied that if the Conference failed in bringing about a peaceful settlement of the question, or if Denmark refuses to accept an arrangement recommended by the Conference, as fair to both parties, I understood that Her Majesty's Government would not attempt to interfere with the right of Prussia to take such military measures as she might consider necessary for the protection of the interests of Germany and of her national honour. But I said it was not to be expected that Her Majesty's Government could sanction the invasion of Schleswig by German troops after all that had taken place in Holstein, and I read to him the greater part of Sir Augustus Paget's despatch of the 31st of December.†

No. 678.

Sir A. Buchanan to Earl Russell.—(Received January 11.)

My Lord, *Berlin, January* 9, 1864.

IN conformity with the instructions conveyed to me in your telegram of the 6th instant, I have instructed Mr. Grosvenor to proceed to Kiel and Rendsburg, to obtain information on the points referred to in your telegram.

I have, &c.

(Signed) ANDREW BUCHANAN.

No. 679.

Mr. Murray to Earl Russell —(Received January 11.)

My Lord, *Dresden, January* 9, 1864.

I HAVE the honour to inclose herewith copy of a note which I have this day addressed to M. de Beust, in reply to his Excellency's note of the 5th instant, forwarded to your Lordship in my despatch of the 6th instant. The Saxon Minister's note seemed to me, both in respect to its tenor and language, so unnecessarily discourteous that I had some doubts whether I ought to reply to it before receiving your Lordship's instructions, especially as the wording of several of the more objectionable phrases left it uncertain whether the writer intended to apply them to your Lordship or to myself. I have thought it right however to correct, according to my own views, M. de Beust's misconception of your Lordship's telegraphic message, and to leave it to your Lordship to notice or leave unnoticed his observations thereon as you may think proper.

I have, &c.

(Signed) CH. A. MURRAY.

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* For Memorandum, see Inclosure in No. 681.

† No. 595.

Inclosure in No. 679.

Mr. Murray to M. de Beust.

M. le Ministre, *Dresde, le* 8 *Janvier*, 1864.

J'AI l'honneur d'accuser réception de la note que votre Excellence m'a adressée portant la date du 5 courant, et qui m'a été remise le soir du 6. Je n'ai pas manqué d'en transmettre incessamment une copie au Comte Russell, Ministre des Affaires Etrangéres à Londres.

Quoiqu'il appartiendra à son Excellence de se prononcer plus tard sur les observations que vous m'avez adressées dans la note sus-mentionnée, je ne saurais les laisser passer entièrement sans réponse, de peur que votre Excellence ne pense que j'en admets la justice et la validité.

Vous me permettrez de vous observer en premier lieu que, dans la note que j'avais eu l'honneur de vous adresser, il n'y avait pas un mot qui attaquait "l'honneur du drapeau Saxon:" car, si le Gouvernement Anglais a trouvé quelque chose à blâmer dans la conduite des troupes Allemandes en Holstein, où elles sont placées dans un pays qui fait part de la Confédération, et où elles n'ont rencontré aucune opposition, on ne porte aucune attente à l'honneur de leur drapeau; car on attribue toute la responsabilité de leurs actes aux Commissaires chargés par la Diète du Gouvernement actuel de la province où elles se trouvent. Quel était donc le motif qui a engagé le Conte Russell à observer que leur conduite en Holstein avait été contraire au décret de la Diète aussi bien qu'à la justice? Ce n'est pas difficile, il me semble, de le trouver. Des troupes Allemandes sont entrées en Holstein pour effectuer une Exécution Fédérale décrétée par la Diète: l'objet de cet acte formel était connu de toute l'Europe,—c'était de prendre possesssion de cette province et de l'administrer jusqu'à ce que certains différends qui existaient entre de Roi de Danemark en sa qualité de Duc de Holstein et la Confédération seraient vidés d'une manière légale et satisfaisante. Ce droit de la Diète imposait sur leurs employés, chargés de l'administration pendant l'Exécution, le devoir d'exercer leurs fonctions avec une impartialité et une droiture sévère, et surtout de contrôler les mouvements des esprits chauds et irréfléchis dont l'objet était, sous prétexte de sauvegarder le droit Allemand, d'outrepasser toutes les mesures autorisées par la Diète, et de fouler aux pieds le Traité de 1852, signé par les cinq Grandes Puissances de l'Europe.

Voyons comment les Commissaires out rempli ces devoirs. A peine les troupes du Roi de Danemark se sont retirées du Holstein, et que celles de la Confédération y sont entrées, voilà que le Prince d'Augustenburg arrive et se fait proclamer publiquement en divers endroits Souverain légitime des Duchés de Slesvig-Holstein, sans aucune opposition de la part des Commissaires, et (si on peut croire aux rapports des journaux) les acclamations des troupes Saxonnes se sont jointes à celles dont le Prince a été accueilli par le populace Holsteinois.

Je ne prétends pas, M. le Ministre, préjuger la solution finale qui décidera la question de la Succession dans les Duchés, mais j'ose affirmer que les faits suscités donnent à tout homme impartial le droit de dire que l'Exécution Fédérale comme elle a été administrée par les autorités Allemandes en Holstein a été contraire non seulement au Décret de la Diète, mais aussi à la justice.

Votre Excellence se plaît à dire que "la conduite des troupes Fédérales dans un pays de la Confédération où elles se trouvent par suite d'un Arrêté de la Diète est un sujet qui ne concerne en rien un Gouvernement étranger." C'est une proposition que personne n'aurait contestée si ces troupes et les autorités qui dirigent leurs mouvements s'étaient tenues dans les limites de leur compétence, mais quand elles permettent que, sous leurs yeux, un Prince, qui sans leur protection n'aurait pas pu mettre le pied dans le pays, se proclame ouvertement Souverain de deux Duchés appartenant depuis longtemps à la Couronne de Danemark, et dévolus au Roi actuel par un Traité signé par les cinq grandes Puissances d'Europe, votre Excellence m'excusera si je ne saurais admettre que c'est un sujet qui ne concerne en rien une des Puissances signataires. Quant à la phrase dans laquelle le Comte Russell citait la Bavière et le Wurtemberg comme partageant avec la Saxe la responsabilité des conséquences qui pourront résulter de la manière dont l'Exécution Fédérale s'est pratiquée en Holstein, je dois vous prévenir que la note que j'ai eu l'honneur de vous adresser le 5 courant n'était que la traduction d'un télégramme que j'avais reçu de son Excellence, et quoique dans les messages envoyés par le télégraphe on a l'habitude de tracer l'esquisse de sa pensée et non pas d'en donner une explication détaillée, je n'ai trouvé aucune difficulté à comprendre par moyen du contexte le sens d'une phrase dans laquelle votre Excellence a voulu trouver la preuve d'une ignorance des choses qui se passent en Allemagne. La responsabilité que la phrase (comme je l'entends)

attribuait à la Bavière, la Saxe, et le Wurtemberg, se rapporterait à l'appui que ces trois Gouvernements ont donné aux prétentions d'un Prince qui s'est proclamé Souverain des Duchés de Slesvig et de Holstein, avant que la question de ses droits avait été decidée par les autorités compétentes; en se mettant à la tête de ce mouvement en Allemagne, qui exerce sur les deux grandes Puissances Allemandes une pression dont l'objet est de les contraindre à violer les obligations qu'elles avaient contractées en signant le Traité de 1852 (auquel la majorité des Etats Allemands ont aussi adhéré ou assenti) le Comte Russell pense que ces trois Gouvernements partagent une grave responsabilité, et quand son Excellence ajoute que, "si les troupes de la Confédération envahissent le Slesvig avant que les Puissances signataires du Traité de Londres aient pu faire connaître leurs opinions à ce sujet, les conséquences les plus sérieuses pourront en résulter," il n'y a pas dans ses paroles la moindre intention ni pensée de menace. C'est une simple affirmation de son avis, que cette démarche pourrait amener des conséquences aujourd'hui imprévues et dangereuses pour le repos et le bien-être de l'Europe.

Agréez, &c.
(Signé) CH. A. MURRAY.

(Translation.)

M. le Ministre, *Dresden, January* 8, 1864.

I HAVE the honour to acknowledge the receipt of the note which your Excellency has addressed to me dated the 5th instant, and which was delivered to me on the evening of the 6th. I have not failed to transmit a copy of it at once to Earl Russell, Minister for Foreign Affairs in London.

Although it will be for his Excellency to pronounce himself later on the observations which you addressed to me in the above-mentioned note, I cannot allow them to pass entirely without answer, lest your Excellency should suppose that I admit their justice and validity.

You will permit me to observe in the first place that in the note which I had the honour to address to you there was not a word which attacked "the honour of the Saxon flag," for if the English Government has found something to blame in the conduct of the German troops in Holstein, where they are placed in a country which forms part of the Confederation, and where they have encountered no opposition, the honour of their flag is in no way attacked, for the whole responsibility of their acts is attributed to the Commissioners entrusted by the Diet with the actual government of the province in which they are stationed. What, then, was the motive which induced Earl Russell to observe that their conduct in Holstein had been contrary to the decree of the Diet as well as to justice? It is not difficult in my opinion to discover it. German troops have entered Holstein to effect a Federal Execution decreed by the Diet; the object of this formal act was known by all Europe,—it was to take possession of that province and to administer it until certain differences which existed between the King of Denmark in his quality as Duke of Holstein and the Confederation were settled in a legal and satisfactory manner. That law of the Diet imposed on their employés entrusted with the administration during the Execution the duty of exercising their functions with severe impartiality and rectitude, and above all to control the agitation of excited and unreflecting minds, the object of which was under pretext of maintaining the rights of Germany to exceed all the measures authorized by the Diet, and to trample under foot the Treaty of 1852, signed by the five great Powers of Europe.

Let us see how the Commissioners have fulfilled these duties. Hardly have the troops of the King of Denmark retired from Holstein, and those of the Confederation entered it, when the Prince of Augustenburg arrives and causes himself to be publicly proclaimed in various places as legitimate Sovereign of the Duchies of Schleswig-Holstein, without any opposition on the part of the Commissioners, and (if the reports of the newspapers can be believed) the acclamations of the Saxon troops were joined to those with which the Prince has been received by the populace of Holstein.

I do not pretend, M. le Ministre, to prejudge the final solution which will decide the question of the Succession of the Duchies, but I venture to affirm that the facts above mentioned give any impartial man the right to say that the Federal Execution as it has been administered by the German authorities in Holstein has been contrary not only to the decree of the Diet, but also to justice.

Your Excellency is pleased to say that "the conduct of the Federal troops in a country of the Confederation in which they are stationed in consequence of a resolution of the Diet is a subject which in no way concerns a foreign Government." This is a proposition which no one would have contested if these troops and the authorities who direct their movements had confined themselves within the limits of their competence, but when they

permit a Prince who, without their protection, could not have been able to set foot in the country, to be proclaimed openly under their eyes as Sovereign of the two Duchies which have long belonged to the Crown of Denmark, and have devolved on the present King in virtue of a Treaty signed by the five great Powers of Europe, your Excellency will excuse me if I cannot admit that this is a subject which in no way concerns one of the signatary Powers. As to the phrase in which Lord Russell cited Bavaria and Wurtemberg as sharing with Saxony the responsibility of the consequences which may result from the manner in which the Federal Execution is carried out in Holstein, I ought to inform you that the note which I had the honour to address to you on the 5th instant was only the translation of a telegram which I had received from his Excellency, and although in messages sent by telegraph it is the habit to trace the rough sketch of one's thoughts and not to give a detailed explanation of them, I have found no difficulty in understanding by means of the context the sense of a phrase in which your Excellency has attempted to find the proof of an ignorance of affairs which are taking place in Germany. The responsibility which the phrase (as I understand it) attributed to Bavaria, Saxony, and Wurtemberg, would relate to the support which these three Governments have given to the pretensions of a Prince who has proclaimed himself Sovereign of the Duchies of Schleswig and Holstein before the question of his rights had been decided by the competent authorities; by placing themselves at the head of this movement in Germany, which exercises on the two great German Powers a pressure the object of which is to force them to violate the obligations which they had contracted by signing the Treaty of 1852 (to which the majority of German States have also adhered or assented), Earl Russell thinks that these three Governments undertake a grave responsibility, and when his Excellency adds that "if the troops of the Confederation invade Schleswig before the Powers signatary of the Treaty of London have been able to make known their opinions on this subject, the most serious consequences may ensue," there is not in his words the slightest intention or thought of menace. It is a simple affirmation of his opinion that this step may lead to consequences at present unforeseen, and dangerous to the repose and well-being of Europe.

I have, &c.
(Signed) CH. A. MURRAY.

No. 680.

Earl Russell to Sir H. Howard.

(Extract.) *Foreign Office, January* 11, 1864.

I HAVE received your despatch of the 3rd instant, giving an account of what Count Platen said upon your communicating to him my despatch of the 31st ultimo.

His Excellency might recollect that the British Government were bitterly reproached by M. Hall, the Danish Minister, for their proposals of 1862 as being extremely partial to the German side, and that they were so considered both by the Danish and the British Press.

No. 681.

*Earl Russell to Lord Bloomfield.**

My Lord, *Foreign Office, January* 11, 1864.

HER Majesty's Government are very anxious to ascertain if the Government of Austria and Prussia would consent to the three points which are embodied in the accompanying draft, as the basis of a Conference to be assembled in order to discuss the present differences between Denmark and the Germanic Confederation, as there may be great difficulty and delay in obtaining from the Danish Rigsraad a repeal of the Constitution of November last.

It is proposed that this Conference should be attended by the Representatives of the Powers who signed the Treaty of London of 1852, and also by a Representative of the Frankfort Diet.

Her Majesty's Government are anxious to know the opinion of the Austrian and Prussian Governments upon this subject as early as possible, because Denmark has now applied to the Governments of Great Britain, France, Sweden, and Russia, as well as to

* A similar despatch was addressed to Sir A. Buchanan.

those of Austria and Prussia, for their mediation, and it would be desirable for the Powers who signed the Treaty of 1852 to frame such an answer to the Danish application as they can all agree to.

I am, &c.
(Signed) RUSSELL.

Inclosure in No. 681.

Draft Bases of a Conference on the Differences existing between Germany and Denmark.

1. That the Treaty of London should be maintained.

2. That full security should be taken for the good government of the German subjects or subjects of German race of the King of Denmark in the Duchies of Holstein, Lauenburg, and Schleswig, in conformity with the engagements which Denmark contracted with Germany in 1851-52.

3. That, as an earnest of his intention to fulfil the said engagements, the King of Denmark should promise France, Great Britain, Russia, and Sweden, to propose to the Rigsraad the repeal of so much of the Constitution of November 1863 as relates to the Duchy of Schleswig.

No. 682.

Bishop Monrad to M. de Bille.—(*Communicated to Earl Russell by M. de Bille, January* 13.)

Monsieur. *Copenhague, le 5 Janvier*, 1864.

PLUSIEURS entretiens que j'ai eus avec Lord Wodehouse m'ont permis de constater l'intérêt sincère que le Cabinet Anglais porte à la cause du Danemark et la sollicitude qu'il voue à la conservation de la paix générale.

Depuis longtemps déjà nous avions compris que ni les délibérations au sein de la Diète ni les négociations directes avec les deux Grandes Puissances Allemandes n'ameneraient un résultat sérieux. Aussi, lorsque dans l'automne passé l'Angleterre a proposé sa médiation à Francfort, nous nous sommes empressés d'accepter cette offre, que de son côté la Diète à malheureusement cru devoir refuser.

Mais dans ces derniers temps l'affaire est entrée dans une phase plus critique que jamais. Si la médiation nous paraissait naguères le moyen le mieux choisi pour amener un accord, aujourd'hui elle est devenue l'unique moyen pour conjurer l'explosion de la guerre.

Dans le Protocole du 14 Avril, 1856, les Puissances signataires du Traité de Paris ont exprimé et les autres Puissances qui ont adhéré à cet acte se sont approprié le vœu que les Etats entre lesquels s'élèverait un dissentiment sérieux, avant d'en appeler aux armes, eussent recours, autant que les circonstances l'admettraient, aux bons offices des Puissances amies. Cette maxime nouvelle du droit publique de l'Europe crée au Roi le droit, comme elle lui impose l'obligation, avant d'en venir à la suprême décision par les armes, d'essayer ce que pourra la médiation de des alliés. Mais, outre ce principe général, nous avons un autre titre spécial pour réclamer les bons offices des Puissances impartiales. C'est en effet au Traité de Londres que la Confédération s'attaque aujourd'hui, et c'est l'intégrité de la Monarchie, voire même son existence, qui est menacée. Or, les Puissances qui ont signé ce Traité et celles qui y ont adhéré plus tard, ne pourront vouloir se refuser à soutenir les principes qu'elles ont solennellement proclamés.

Cette espérance de notre part n'a pas été déçue et je constate avec un véritable plaisir et le commun accord qui se manifeste partout sur l'efficacité d'une intervention des Puissances impartiales, et notre acceptation pure et simple de ce moyen d'écarter une guerre

Nous savons que les Puissances qui par la position qu'elles tiennent, soit dans les affaires générales de l'Europe, soit dans notre question particulière, sont avant toutes appelées à s'en occuper, s'attachent depuis quelque temps déjà à trouver la forme d'une intervention diplomatique. J'apprécie les difficultés que ce problème peut présenter dans les circonstances actuelles, et je comprends parfaitement qu'il ne nous appartient pas de vouloir décider une question dont la solution doit dépendre des convenances et des vues générales des Puissances. Pour nous la forme d'une médiation éventuelle est d'une importance secondaire, car soit que nous ayons à soutenir nos droits devant une réunion plus ou moins restreinte de Puissances impartiales, soit qu'il faille la traiter seule ou en

même temps que les autres questions politiques qui agitent l'Europe, nous avons la même confiance dans la justice et l'équité de nos alliés. Ce qui nous importe et ce qui est de la dernière nécessité, tout le monde le reconnaîtra, c'est que la médiation intervienne à temps et avant que le sang ait commencé à couler.

Je suis heureux de pouvoir constater que Lord Wodehouse partage entièrement notre manière de voir dans cette occasion, et je suis convaincu que le Cabinet Anglais exercera sa grande influence pour écarter les difficultés qui pourront s'opposer à la réalisation prompte et efficace de nos vœux. Je sais que d'autres Cabinets sont tout disposés à travailler vers ce but et je peux donc espérer qu'ils réussiront à amener la médiation qui devient de plus en plus nécessaire.

Je vous prie, Monsieur, de faire lecture de cette dépêche à Lord Russell et de lui en laisser copie.

J'ai, &c.
(Signé) D. G. MONRAD.

(Translation.)

Sir, *Copenhagen, January* 5, 1864.

SEVERAL interviews which I have had with Lord Wodehouse have enabled me to ascertain the sincere interest which the English Cabinet takes in the cause of Denmark, and the anxiety which it feels for the preservation of the general peace.

Already for some time past we have understood that neither the deliberations in the Diet nor the direct negotiations with the two great German Powers would lead to any serious result. Therefore when England proposed her mediation last autumn at Frankfort, we eagerly accepted that offer, which on the other hand the Diet unhappily thought it its duty to refuse.

But at a later period the affair entered into a still more critical phase. If mediation seemed formerly to us the most eligible method of arriving at an agreement, it has now become the only means of averting the explosion of war.

In the Protocol of April 14, 1856, the Powers who signed the Treaty of Paris expressed the desire, which was adopted by the Powers who adhered to this Act, that the States between which any serious difference might arise should employ the good offices of friendly Powers, as far as circumstances would permit, before they had recourse to arms. This new maxim of public law in Europe gives to the King the right, while it imposes on him the obligation, to try what the mediation of his allies can effect before making the last appeal to arms. But besides this general principle we have another and especial claim to the good offices of impartial Powers. It is, in fact, the Treaty of London which the Confederation attacks at present, and it is the integrity of the Monarchy, indeed its very existence, which is menaced. It is impossible, therefore, for the Powers who either signed or subsequently adhered to that Treaty to refuse to support the principles which they solemnly proclaimed.

This hope of ours has not been deceived, and I have great pleasure in affirming both the recognition which manifests itself on all sides of the efficacy of an intervention of the neutral Powers, and our acceptance of this means of warding off war.

We are aware that those Powers who by the position which they hold either in the general affairs of Europe or in our particular question are more specially called upon to interest themselves in it, have been for some time engaged in seeking a form for diplomatic intervention. I understand the difficulties which this problem may present under present circumstances, and I fully comprehend that it is not for us to decide a question whose solution must depend on the wishes and on the general views of the Powers themselves. To us, the form which the mediation may eventually assume is a matter of secondary importance; for whether we have to defend our rights before a more or less limited Assembly of neutral Powers, or whether they be discussed alone or in connection with the other political questions which now agitate Europe, we feel the same confidence in the justice and equity of our allies. But what is important to us, and what is universally considered of the most urgent necessity, is that mediation should intervene in time and before the effusion of blood has begun.

I am happy to be able to state that Lord Wodehouse is entirely of our opinion on this occasion, and I am persuaded that the English Cabinet will exercise its great influence to ward off the difficulties which might stand in the way of a prompt and efficacious realization of our wishes. I know that other Cabinets are well disposed to work towards this end, and I may therefore hope that they will succeed in bringing about that mediation which is becoming more and more necessary.

I beg you, Sir, to read and leave a copy of this despatch with Lord Russell.

I have, &c.
(Signed) D. G. MONRAD.

No. 683.

Mr Jerningham to Earl Russell.—(Received January 13.)

(Extract.) *Stockholm, January* 6, 1864.

I HAVE the honour to inform your Lordship that this Government accepts the principle of your proposal of the 4th instant respecting Denmark.*

I saw Count Manderström to-day, when he stated that in the evening of the 4th instant he had received a telegram from Count Wachtmeister, and that he had already acted upon its principle by telegraphing to London, Paris, and St. Petersburgh, for the purpose of concerting the requisite community of action, with a view to the prevention of hostile operations between Germany and Denmark.

His Excellency also signified his acquiescence in all your Lordship's views respecting both a Conference and a mediation, adding that he understood the Emperor of the French to have expressed his readiness for a Conference on Danish affairs, provided it were not held at Paris, while no proposition on the subject had yet arrived here from Copenhagen, which, I presume, may merely prove that it has not been transmitted by telegraph.

Count Manderström proceeded to make some observations indicative of his apprehensions that the course now proposed might prove too late, observing that, even were Austria and Prussia completely of good faith respecting the Danish Succession, matters might have gone far enough to prevent their ability to stem the tide of German sympathy.

No. 684.

Sir H. Howard to Earl Russell.—(Received January 13.)

My Lord, *Hanover, January* 11, 1864.

I HAVE the honour to inclose a précis of the proceedings of the so-called "National Meeting," which was held in this residence, yesterday evening, in order to serve as a grand demonstration in favour of the Schleswig-Holstein cause, as well as of the resolutions adopted by it.

These Resolutions formed the ground-work of an address to the King of Hanover, which was likewise passed by the Assembly, but which has not yet been published, praying His Majesty to acknowledge the Prince of Augustenburg as Duke of Schleswig-Holstein; to exert his influence at the Diet and with his Confederates for the protection of the rights of those Duchies; and declaring the readiness of the people to make all the necessary sacrifices for that object. I hear the address is couched in very strong terms.

A deputation of ten or more persons was named to wait upon the King and present the address to His Majesty, but from what Count Platen said to-day to one of my colleagues, I infer that His Majesty will not receive the deputation, but that the Minister of the Interior will do so.

The language of several of the speakers at the meeting was of a very revolutionary nature, being to the effect that if the Sovereigns did not go along with the people on this question, and put themselves at their head, the people would take the affair into their own hands.

I have, &c.
(Signed) HENRY F. HOWARD.

Inclosure in No. 684.

Report of a Public Meeting at Hanover, January 10, 1864.

A PUBLIC meeting, convoked by the "Central Committee for the Defence of the Rights of Schleswig-Holstein," took place yesterday in the large hall of the Odeon in this capital. About 5,000 people, composed in great part of persons belonging to the middle class, and resident in various parts of the kingdom, responded to the invitation of the Committee.

M. de Benningsen was unanimously called to the Chair, amidst the enthusiastic plaudits of the assembly, and Professor Sauppe, of Gottingen, and Provisional Councillor Neuburg, of Stade, were chosen Vice-Presidents.

* For substance, see No. 615.

In explaining the objects of the meeting, M. de Benningsen began by stating that, as the Chambers were now sitting, it had been convoked for the purpose of affording the country an opportunity of expressing its sentiments upon the Schleswig-Holstein question. The unanimous expression, he continued, of the wishes of the whole people, conveyed by an assembly such as this, consisting of literary men (" Gelehrte "), artisans (" Künstler "), and operatives from every part of the kingdom, must have great weight in deciding the policy of the Government. Two months have elapsed since the King of Denmark's death, and precious time has been lost by the German Governments in withholding their declaration in favour of the rights of Schleswig-Holstein. Some Governments have already spoken out, but we are still in the dark as to the policy of our own. The assembly must decide upon the means to be adopted for bringing this affair to a successful issue. Up to this day we do not know whether our Government has withdrawn or not from the Protocol of London, and its instructions to the Hanoverian Envoy at Frankfort are still kept secret. It behoves this meeting, therefore, to declare that it is expected of our Government that it will withdraw from the London Protocol, and that as regards the consequences, it may reckon upon the support of the country. (Cheers.)

The Committee presses the adoption of the following Resolutions, coupled with an address to the King, to be presented to His Majesty by a deputation.

Professor Waiss, as reporter, then read the Resolutions, which are as follows:—

Resolved by the meeting, " That the rights of Schleswig-Holstein and the interests of Germany, require that the union previously existing between the Duchies and the Kingdom of Denmark, but dissolved by the death of King Frederick VII, shall, under no circumstances whatever, be restored; that Frederick VIII, the only legitimate Duke, shall be immediately acknowledged by the German Confederation and by the several Governments; that he shall be placed in possession of his dominions, and protected therein.

" That it is consequently the duty of the Hanoverian Government to renounce, without further delay, if it has not already done so, the Treaty of London, to declare itself openly in favour of the rights of Duke Frederick, and both at the Diet, and in concert with those German Governments which have already declared themselves in favour of them, or may hereafter do so, to do all in its power to establish those rights in their entirety.

" That it is necessary that the Duchy of Schleswig be at once occupied by Federal troops; that all natives of Holstein and Schleswig recruited in the Danish army be reclaimed and restored to their home and legitimate Sovereign.

" That it is the business and duty of the Chambers when they meet to place at the disposal of the Government all the means it may require for the purpose of bringing this national affair to a successful issue at all hazards. This course would be merely in accordance with the unanimous demands of the country.

" That it is our duty to co-operate for the formation throughout all parts of the Kingdom of Associations or Auxiliary Committees, which are to use all legal means for establishing the rights of the Duchies, acting in the same manner as the Select Committee of the Schleswig-Holstein Committee in Hanover acts as presiding body for the whole Kingdom.

" That the Select Committee of the Schleswig-Holstein Committee in Hanover be empowered and charged to convoke another general meeting for Schleswig-Holstein, whenever circumstances shall render it necessary. That in this second General Meeting the Committee shall provide, as far as it can, for the election of men of confidence to represent the various Communes of the country."

In speaking to the Resolutions, the Reporter, Professor Waiss, observed that the late King Ernest Augustus had declared himself very decidedly in favour of Schleswig-Holstein. It was wrong to say that this was a revolutionary question. It was one closely connected with Legitimacy. We wish, he said, to go hand in hand with our Governments, and to be able to go to the Palace and express our gratitude to the King for the determination which we hope he will arrive at, to become the energetic advocate of the rights of the Duchies.

Various speakers then addressed the meeting in support of the Resolutions and Address. Amongst them M. Albrecht, a prominent member of the National Verein, observed that the Princes and Governments of Germany must place themselves at the head of the people on this question. The German people was monarchical to the core: a proof of this was to be seen in the enthusiasm with which the names of those Sovereigns who had openly espoused the rights of Germany were universally greeted. The speaker then mentioned the names of the Grand Duke of Baden, the Duke of Coburg, and the Grand Duke of Weimar, which elicited loud and enthusiastic cheering.

" If," said he, " we give a unanimous voice to the convictions of the whole Hanoverian people, what will be the effect upon our Government? We cannot hope and believe that

the Government has only hitherto been restrained by a doubt as to whether the question of the Duchies was capable of being brought to a successful issue ; but we must not forget that throughout history the unanimous voice of the people has never been disregarded by their Government without drawing down retribution. He who shows weakness in such cases digs a grave for himself and for his country. The oak derives its strength from its roots : when the sap of justice and honour no longer flows through its branches, the oak, even if it be a king-oak ('königs-eiche'), falls to the ground."

The foregoing Resolutions and the Address to the King were subsequently adopted without a dissentient voice, and the meeting was brought to a close by a short from M. de Bennigsen, of which the following were the concluding words :—

"We know not what others may do, but we know what we ourselves have to do. We vow not to cease our efforts until right is firmly established. Should this be effected by the help of the people and their Sovereigns, then will party spirit have passed through a purifying influence. Under the effect of such a victory many a grievance will be silenced, and many a difficulty, the solution of which now seems impossible, will be rendered easy."

No. 685.

Mr. Murray to Earl Russell.—(*Received January* 13.)

My Lord, *Dresden, January* 11, 1864.

I HAVE the honour to inclose herewith copy of reply which I have received from M. de Beust to my note of the 8th instant.

I have, &c.

(Signed) CH. A. MURRAY.

Inclosure in No. 685.

M. de Beust to Mr. Murray.

M. le Ministre, *Dresde, le* 10 *Janvier*, 1863.

LA note que vous m'avez fait l'honneur de m'adresser le 8 de ce mois m'est parvenue hier.

Je ne saurais trop vous remercier d'avoir eu l'extrême obligeance de m'expliquer ainsi le véritable sujet de celle que vous avez bien voulu me faire parvenir le 5 du mois courant. Il m'est impossible de ne pas éprouver le plus vif regret de ne pas avoir été mis plutôt à même de le connaître et d'y répondre d'une manière plus satisfaisante pour vous autant que pour moi-même. Si j'avais su que votre office tendait à m'apprendre des objections que le Gouvernement de Sa Majesté Britannique croit devoir faire relativement à la manière dont les Commissaires Fédéraux remplissent leur mission, je me serais borné, comme je le fais aujourd'hui, à réclamer votre obligeante entremise, afin d'engager M. le Comte Russell à s'adresser à la Diète. C'est à elle qu'il appartiendra de se prononcer sur la question de savoir quelle suite elle peut juger convenable de donner en pareil cas aux réclamations d'une Puissance étrangère.

Mais, M. le Ministre, permettez-moi de vous le rappeler, vous m'avez entretenu d'une conduite répréhensible des troupes Allemandes, par conséquent des troupes Saxonnes, dans le Holstein. Un semblable reproche porte atteinte à l'honneur militaire, donc a l'honneur du drapeau, et je devais à la brave armée du Roi de le repousser énergiquement. Vous citez maintenant un seul fait à son appui. Si ce fait est exact, ce qui reste à constater, je ne doute pas qu'il ne soit désapprouvé, bien qu'il ne justifierait nullement l'accusation d'une conduite "contraire à la justice."

Il est toutefois de mon devoir de répéter une fois de plus que, lorsque par ordre de la Diète, des troupes Fédérales occupent un territoire de la Confédération, nous ne saurions reconnaître à aucun Gouvernement étranger le droit de demander raison, à qui que ce soit, de leur conduite.

J'ose espérer qu'après avoir placé sous les yeux de M. le Comte Russell ma dernière note, vous voudrez bien en faire autant pour celle que j'ai l'honneur de vous adresser aujourd'hui.

C'est avec plaisir que je profite, &c.

(Signé) BEUST.

(Translation.)

M. le Ministre *Dresden, January* 10, 1863.

THE note which you did me the honour to address to me on the 8th instant reached me yesterday.

I cannot thank you too much for having had the kindness thus to explain to me the real subject of what you were so good as to address to me on the 5th instant. It is impossible for me not to feel the most lively regret at not having been previously enabled to understand and answer it in a manner more satisfactory to you as well as to myself. If I had known that your note was meant to inform me of the objection which Her Britannic Majesty's Government feel bound to make as to the manner in which the Federal Commissioners perform their mission, I should have confined myself, as I do to-day, to claiming your obliging intervention in order to induce Lord Russell to address himself to the Diet. It is to that Body that it will belong to pronounce itself on the question of what course it may think fit to pursue in such a case in consequence of the demands of a foreign Power.

But, M. le Ministre, permit me to remind you, you have called my attention to the reprehensible conduct of the German troops, and consequently of the Saxon troops in Holstein. Such a reproach attacks our military honour, and consequently the honour of our flag, and I owe it to the brave army of the King to repudiate it with vigour. You now cite a single fact in snpport of it. If this fact is correct, which remains to be proved, I do not doubt that it will be disapproved of, although it would in no way justify the accusation of a conduct "contrary to justice."

It is my duty to repeat once more, that when, by order of the Diet, Federal troops occupy a territory of the Confederation, we cannot recognize the right of any foreign Government to demand explanation as to their conduct.

I venture to hope that since you have submitted my last note to Earl Russell you will be so good as to do the same with the one which I have the honour of addressing to you to-day.

It is with pleasure, &c.

(Signed) BEUST.

No. 686.

Sir A. Malet to Earl Russell.—(*Received January* 13.)

(Extract.) *Frankfort, January* 11, 1864.

I MADE the attempt this morning to see M. Von der Pfordten and lay before your Lordship, with more satisfaction than I have felt for some time past, the result of my conversation with his Excellency.

It was my first wish to ascertain, if possible, what were the prospects of success for the proposal of Conferences for arranging the Danish question. I asked his Excellency as a member of the Committee, if he would inform me what was likely to be the nature of their Report as regarded the note I had presented on the 27th December last, as well as your Lordship's despatch of the 31st ultimo, laid before the Diet in the sitting of Thursday last the 7th instant. M. Von der Pfordten informed me, without hesitation, that the matter had not yet been discussed or even alluded to in Committee.

The reason, as his Excellency said, was that it was absolutely necessary first to come to a vote as to the validity of the London Treaty. He had, he informed me, made a report adverse to that Treaty, but the Committee were divided in opinion, and Austria and Prussia had combined to prevent the Report being received. Till that vote was taken, it must remain doubtful what instructions could be given to a Representative, if the Diet agreed to the proposed Conferences. He himself was not opposed to them in principle, but would not accept the post of Plenipotentiary if the Diet's instructions were to support the Treaty of London. It was, he moreover said, impossible to go into Conference with a Diet at variance as to the instructions to be given to their Plenipotentiary. M. Von der Pfortden was much more moderate in his tone and manner than has been usual with him lately when approaching these subjects, and said that he by no means disputed the possibility of an arrangement by Conferences.

They must however, in his opinion, be confined to the international part of the question and be limited; that he at present saw no other sound basis for a permanent settlement than the division of Schleswig, though admitting that other terms of compromise might perhaps be found.

As to what is called personal union of the Duchies with the Danish Monarchy, he eschewed it altogether, saying that it would be satisfactory to neither party, and would lead to endless intrigue and bickering.

I reminded him that the idea of Conferences was originally his own; but his Excellency said that what was possible during the lifetime of the late King of Denmark had become very difficult since that event.

No. 687.

Earl Cowley to Earl Russell.—(*Received January* 13.)

(Extract.) *Paris, January* 12, 1864.

ON the receipt, late on Sunday evening, of your Lordship's despatch of the 10th instant, desiring me to ascertain whether the French Government would join in representing to the Diet that the invasion of Schleswig, a non-German territory, by German troops, would be an act of war, and that the Diet would incur a heavy responsibility in ordering it in presence of the Conference proposed by Her Majesty's Government, it being then too late to visit M. Drouyn de Lhuys, I communicated the substance of your Lordship's despatch to his Excellency by letter in order to save time.

No. 688.

Earl Cowley to Earl Russell.—(*Received January* 13.)

(Extract.) *Paris, January* 12, 1864.

LORD WODEHOUSE was the bearer of the despatches which the Danish Minister here has been so long in expectation of receiving. This morning Count Moltke met Lord Wodehouse and myself by appointment, and read to us the despatch which he is to communicate to the French Government; its purport is the same as that addressed to the Danish Minister in London.

No. 689.

Count Wachtmeister to Earl Russell.—(*Received January* 13.)

M. le Comte, *Londres, le* 13 *Janvier,* 1864.

JE viens d'être informé par le télégraphe que le Gouvernement de Sa Majesté le Roi de Suède et de Norvége accepte, sauf la condition d'un concert établi entre les quatre Puissances, la proposition du Gouveruement de Sa Majesté Britannique relative aux notes à adresser à Berlin, Vienne, et Francfort, et que les minutes des dites notes ont été transmises par le télégraphe aux Ministres du Roi dans ces trois villes.

Je profite, &c.

(Signé) WACHTMEISTER.

(Translation.)

M. le Comte, *London, January* 13, 1864.

I HAVE just been informed by telegraph that the Government of His Majesty the King of Sweden and Norway accept, on condition of a concert established between the four Powers, the proposal of the Government of Her Britannic Majesty, with regard to the notes to be addressed to Berlin, Vienna, and Frankfort; and that the drafts of the said notes have been transmitted by the telegraph to the Ministers of the King in those three towns.

I profit, &c.

(Signed) WACHTMEISTER.

No. 690.

*Earl Russell to Earl Cowley.**

My Lord, *Foreign Office, January* 13, 1864.

HER Majesty's Government propose as the bases of any Conference to be held on the differences between Germany and Denmark with a view to the pacific settlement of those differences:—

1. That the Treaty of London should be maintained.

2. That the good government of the German subjects, or subjects of German race of the King of Denmark in the Duchies of Holstein, Lauenburg, and Schleswig, should be secured in conformity to the engagements taken by Denmark, to Austria, Prnssia, and Germany in 1851-52.

3. That in conformity to those engagements, the Constitution of Denmark and Schleswig of November 1863 shall, so far as it regards Schleswig, be repealed. The King of Denmark shall engage to recommend this repeal to the Rigsraad.

You will give a copy of this despatch to M. Drouyn de Lhuys.

I am, &c.
(Signed) RUSSELL.

No. 691.

Earl Russell to Lord Bloomfield.†

My Lord, *Foreign Office, January* 13, 1864.

HER Majesty's Government wish you to press upon the attention of the Austrian Government how desirable it will be to give a little more time to Denmark before their troops are ordered to enter Schleswig. If the King of Denmark should proceed to summon the Rigsraad immediately, it might be possible to repeal the Constitution of November within a fortnight, or even within ten days, without violating any constitutional forms.

If, however, the King should decline to take this step, or if the proposal for the repeal of the Constitution were made to the Rigsraad and that Body refused to sanction it, Austria and Prussia would be able to place the entry of their troops into Schleswig upon much stronger grounds than they could otherwise do.

I am, &c.
(Signed) RUSSELL.

No. 692.

Earl Russell to Sir A. Paget.

Sir, *Foreign Office, January* 13, 1864.

HER Majesty's Government are of opinion that if the Danish Government should receive a summons from the Diet, or from Austria and Prussia, calling upon them to repeal the Constitution of November last, the King should declare that he will convoke the Rigsraad without delay, in order to submit to that Body a proposal for the revocation of such parts of the Constitution as apply to Schleswig.

I am, &c.
(Signed) RUSSELL.

No. 693.

Sir A. Buchanan to Earl Russell.—(*Received January* 14.)

(Extract.) *Berlin, January* 12, 1864.

I HAD the honour to receive, yesterday morning, your Lordship's despatch of the 9th instant, and at an interview which I immediately requested of M. de Bismarck,

* Similar despatches were addressed to Lord Bloomfield Sir A. Buchanan, Lord Napier, and Mr. Jerningham.
† A similar despatch was addressed to Sir A. Buchanan.

I read your Lordship's despatch to his Excellency and gave him a copy of it, having, in the first place, in order that he might understand it more correctly, read to him the draft of my despatch of the 5th instant, to which it is a reply.

M. de Bismarck said your Lordship's proposal was quite different from what he had said he would be ready to recommend to the favourable consideration of the King; that he could not consent to postpone the invasion of Schleswig until the Danish Government might think fit to annul by constitutional means the present illegal union of Schleswig and the Kingdom; and he could only repeat what he had already said, that the Danish Government must either abrogate the new Constitution, as far as it relates to Schleswig, or that a German army would enter the Duchy.

M. de Bismarck then said that he had communicated to the King the Memorandum which I had given him of the bases proposed by your Lordship for the negotiations at the Conference, by which it is hoped that an arrangement of the differences of Denmark and Germany may be effected; and though His Majesty had approved of them as far as they went, he had suggested that a revision of the Treaty should be included among the subjects to be submitted to the consideration of the Conference.

I replied that the Treaty, having been concluded for a single and precise object, was not susceptible of revision; but M. de Bismarck said it might, however, be rendered more complete, and that the arrangements for carrying out the engagements contracted by Denmark in 1851 and 1852 might receive a European sanction.

I answered to this, that it appeared to me that the mere treatment of these points in a Conference of the Powers who signed the Treaty would give to the arrangements adopted all the guarantees which the King desired.

With respect to the repeal of the Constitution, M. de Bismarck said he was convinced, from his conversation with M. d'Ewers, when he passed through Berlin on his way to St. Petersburgh, that Denmark would do nothing to effect it until she was forced to comply with the demands of Germany; and our conversation ended without my being able to induce his Excellency to make any concession on the subject.

I then called on Count Karolyi and mentioned to him the nature of the correspondence which had taken place between your Lordship and myself in consequence of M. de Bismarck having said that if the Constitution were repealed Austria and Prussia might engage to suspend hostilities while the Conference was sitting. Count Karolyi said he quite agreed with M. de Bismarck that the arrangement contemplated in your Lordship's despatch was much too indefinite for Austria and Prussia to accept, as Denmark might employ months in discussing the expediency of abrogating the Constitution, whereas if she intended to abrogate it she could have done so ere now. I said M. Hall had prevented his successors from bringing the question before the old Rigsraad, and now Denmark might be told she had no right to convoke the new one. Count Karolyi replied, What Germany wants is the abrogation of the Constitution, and it is a matter of indifference to Austria and Prussia how that object may be accomplished. In that case, I replied, if you will allow the Danish Government time, and if Her Majesty's Government are authorized to assure them that if they abolish the Constitution within a month the troops of the Confederation will not invade Schleswig, unless the proposed Conference proves abortive, I thought it far from impossible that the Constitution might be got rid of and peace preserved. Count Karolyi said it was absolutely necessary, however, that the troops of Austria and Prussia should enter Holstein to save the Treaty and to prevent revolution there, and that they could not well enter Holstein except to invade Schleswig. But, I replied, you may summon Denmark to repeal the Constitution within a month, and go on in the interval concentrating your forces on the Eider to be ready to cross on a given day, and if you adopt that course you will avert the revolution in Holstein by the presence of your troops in that Duchy, and oblige Denmark to abrogate the Constitution as effectually as if you had entered Schleswig, while you will retain the goodwill of England by having made at all events a concession, at her instance, in favour of peace, and probably by preserving it. Count Karolyi said he would speak to M. de Bismarck on the subject, and I have since learned from M. de Bismarck that he did so, and that his Excellency mentioned the proposal to the King, who would not consent to it. I may mention here, also, that Count Karolyi, in our conversation on Saturday, spoke of its being perhaps possible to accept a declaration of the King of Denmark that he would propose the abrogation of the Constitution, but he told me yesterday that he had taken M. de Bismarck's opinion on the subject, and that they had decided that such a declaration could not be trusted, as the King might not be able to obtain the consent of the Rigsraad to his proposal.

Such was the state of things, my Lord, when I received your telegram of last night,*

* See No. 681.

with the contents of which I took an immediate opportunity of acquainting M. de Bismarck and Count Karolyi. I was not surprised, therefore, to find that neither of them would listen favourably to the suggestion which it contained, but they both said, If the Danish Government is willing and able to abrogate the union of Schleswig and the kingdom by constitutional means, she has a fortnight or three weeks to do so before German troops can cross the Eider, for the movement into Schleswig will not be made until a force can be concentrated sufficiently powerful to render success certain, though the moment such a force is ready to act operations will begin.

No. 694.

Sir A. Buchanan to Earl Russell.—(*Received January* 14.)

My Lord, *Berlin, January* 12, 1864.

I HAVE the honour to inclose herewith a translation by Mr. Morier, of a report of the proceedings of yesterday's sitting at the House of Deputies, when M. de Virchow put questions to the Government as to whether they intended to maintain the Treaty of London, and whether they considered the maintenance of the integrity of the Danish Monarchy a Prussian interest.

M. de Bismarck having replied that he would answer the questions when the House had voted the loan, a short debate ensued in which the speakers urged the House to oppose his Excellency's policy.

I have, &c.
(Signed) ANDREW BUCHANAN.

Inclosure in No. 694.

Sitting of the House of Deputies of January 11, 1864.

THE following interpellation was addressed to the Government by M. Virchow and others :—

"Since the 1st of January of the present year the new Dano-Schleswig Constitution, which incorporates Schleswig, and thereby prejudices the most important of the conditions under which Prussia signed the Treaty of the 8th of May, 1852, has come into force.

"The question is therefore put to the Government of His Majesty:

"1. Whether Prussia has now withdrawn from the London Treaty, or means to do so shortly?

"2. In case this question is answered in the negative, whether the King's Government still continues to consider the maintenance of the integrity of the Danish Monarchy as a Prussian interest?"

M. de Bismarck replied that the Government would answer this interpellation as soon as the House had decided either to vote or to reject the loan of 12,000,000, for which the Government had asked.

The President of the House decided that this answer was equivalent to a refusal to answer the interpellation, and that according to the rules of the House a debate upon the subject of the interpellation was admissible.

A short debate then followed, in which MM. Virchow and Teuesden, amidst the applause of the House, urged that the policy of the Prime Minister had for its object either to perpetuate the union of the Duchies with Denmark, or to bring about a state of chaos in which Prussia should find herself engaged in civil war with the rest of Germany. The object of the House was to separate the Duchies from Denmark, and to secure the union of Germany. It was impossible for it therefore to do otherwise than by every means to oppose the policy of the Prime Minister.

No. 695.

Sir H. Howard to Earl Russell.—(*Received January* 14.)

My Lord, *Hanover, January* 12, 1864.

WITH reference to my despatch of yesterday's date, I have the honour to inclose a translation of the address to the King of Hanover, adopted by the so-called

"National Meeting" on the 10th instant, praying his Majesty to withdraw from the Treaty of London of the 8th May, 1852, and to acknowledge the Prince of Augustenburg, whom it calls Frederick VIII, as the only legitimate successor to and Sovereign of Schleswig-Holstein.

The deputation charged with the presentation of this address having applied in the evening of the 10th instant for an audience of His Majesty, through the aide-de-camp on duty, were informed on the following day, by the latter, that His Majesty could not grant them one, and were requested at the same time to transmit in writing to the Minister of the Interior whatever they had to communicate to His Majesty.

The Deputation accordingly sent their address to Baron Hammerstein, the Minister of the Interior, upon whom they waited yesterday evening at his request, and who, after having expressed the regret of the King at not being able to receive them, read to them the following answer on the part of His Majesty:—

"It was generally known how much His Majesty interested himself for the rights of the Duchies. The affair was now before the Diet for examination. His Majesty did not think himself authorized to prejudge its decision by any declarations. His Majesty would give his vote after the most mature consideration, and according to his best conviction."

The Deputation thereupon expressed their regret that this answer should be so little explicit, as it did not state whether the King still considered himself bound by the Treaty of London, or whether he would recognize the Prince of Augustenburg as Duke of Schleswig-Holstein, and vote at the Diet for his recognition, and inquired whether Baron Hammerstein was at liberty to give any explanations concerning the views of the King and of the Government.

His Excellency is reported to have replied that he was not authorized to do so, but that in his opinion, the wording of the answer and the conduct of the Government gave the Members of the Deputation no grounds for interpreting the answer which had been read to them in an unfavourable sense.

I have, &c.
(Signed) HENRY F. HOWARD.

Inclosure in No. 695.

Address.

(Translation.)

RIGHT is the sacred foundation of life; every violation of right endangers the stability of States, and cripples the advancing prosperity of nations.

Right has been violated by Denmark in Schleswig-Holstein throughout a long series of years, and it is now sought to annihilate it altogether. The German people believe and feel this with a unanimity and solidity of conviction for which no parallel can be found since the time when they rose against the French usurpation.

By the decree of Providence, the decisive hour has arrived.

Sire! the inhabitants of the country subject to your Majesty's rule are likewise firmly convinced and feel profoundly that, in connection with the old hereditary and indisputable rights of Schleswig-Holstein and of the family of its Duke, the rights of Germany are also menaced by a deadly blow.

We should be wanting, however, in the grave duty of loyalty to our country as citizens, in ardent love of the German Fatherland, and in profound attachment to our own beloved country, were we to abstain from conveying to your Majesty our convictions frankly and firmly.

We confidently hope that your Majesty will withdraw from the Treaty of London as null and decrepit; that you will support to the best of your power the rights of Schleswig-Holstein, for which the German Diet has put in its word; that your Majesty will recognize Duke Frederick VIII as the only legitimate heir and Sovereign of Schleswig-Holstein, and that you will join your powerful influence to that of the German States which have already declared in favour of the cause.

As the Schleswig-Holstein question stands at present with the German Diet, every day adds to the deep discontent and painful apprehensions of the people. Sire! restore peace and tranquillity to your country by a magnanimous and firm announcement of your Majesty's decision.

We are not blind to the dangers which the recognition of Duke Frederick and its final success involve. But, Sire! the consequences of violation of right, if it should come to pass, would be the most disastrous for the whole of Germany. The rights and

stability of every State and every Princely House would be imperrilled, the honour of Germany destroyed, and its vote in the Council of nations cancelled. In face of dangers such as these we firmly and openly express this conviction; that the Sovereigns of Germany ought utterly to disregard, as affecting the whole German race, whatever the Great Powers in their insolent contempt of Germany have arbitrarily chosen to decide, or may so decide on any future occasion. The Great Powers of Germany, if a fatal blindness leads them to jeopardise the future fate of Germany, must be brought back to the path of right in their own interest, by the wisdom and attachment to right evinced by the other Powers of the German Confederation.

Sire! in the name of the country, of every province, of every class, of all parties, we respectfully petition your Majesty to comply with the demands of your people. We solemnly promise that the country will cheerfully encounter all the dangers which it may incur by your Majesty's noble determination to take up energetically the cause of Schleswig-Holstein and its Duke Frederick VIII, and that it is ready to make every sacrifice.

We beg your Majesty will be graciously pleased to receive this expression of the wishes and requests of your loyal people, and to accept at the same time the humble assurances of our most profound attachment.

The Hanoverian meeting for upholding the rights of Schleswig-Holstein.

In its name.

(Signed) R. von BENNINGSEN,
HERMAN SAUPPE,
C. L. NEUBURG,
} *Secretaries.*

Hanover, January 10, 1864

No. 696.

*Earl Russell to Lord Bloomfield.**

(Extract.) *Foreign Office, January* 14, 1864.

I HAD a conversation a short time ago with Count Bernstorff on the subject of th proposed occupation of Schleswig by Prussia. He said he had not fully understood th observations I had made in a former conversation. That the proposed occupation, if i were to take place, would be done under the regular authorities, and by the regular troop of Prussia; that no danger, therefore, could be incurred by the King of Denmark, and that when he should have complied with the just demands of the German Powers, the Duchy of Schleswig would be again placed under his sceptre.

I had spoken on a former occasion in the sense that Denmark would resist such an occupation, and might be aided by Great Britain. He wished to have an explanation of what I had then said.

It is to be observed that in speaking to Count Bernstorff on the occasion alluded to, I had expressly declared that I could not say what the decision of the Government might be, as the Cabinet had not yet deliberated, and consequently not submitted any opinion to the Queen; but that judging from the general current of feeling in Parliament and in the nation, I thought an invasion of Schleswig by Germany might lead to assistance to Denmark on the part of this country.

I now said that apart from the occurrences of the last two months I could well understand that Great Britain might fully rely upon two Powers so honourable and so much alive to the interests of Europe as Austria and Prussia. But we had lately seen how little their authority was regarded by the smaller German Powers, and by the popular enthusiasm of the masses.

A Federal Execution was understood to be a kiud of process of Confederate jurisdiction not affecting the title of territorial sovereignty. The Decree of October 1 had been of this character. The present King was not only in the opinion of the greater part of Europe Duke of Holstein, but he was indisputably Sovereign *de facto* when the German Federal troops entered the Duchy. Yet his arms and insignia had been torn down, the rival claimant had received every facility to enter the Duchy, and has been pursuing a career of agitation under the protection of the German Federal troops. Such was the position of a Prince who claimed to be Duke of Schleswig no less than Duke of Holstein. Austria and Prussia had endeavoured legally to exclude him from Holstein, but they had failed in obtaining the sanction of the Diet. What better success could they hope for in Schleswig? But what assurance have we that Prussia herself will persevere in this legal

* A similar despatch was addressed to Sir A. Buchanan.

conduct? Of M. de Bismarck's fidelity to the Treaties we could entertain no doubt, nor of the King's honest intentions; but the King might be overpowered by his Chamber, or by public opinion, and forced to accept a Ministry which would openly abet the claims of the Prince of Augustenburg. Should that view prevail, the occupation would be at once turned into permanent possession, and Denmark would be dismembered and partitioned.

Seeing these dangers, and the reckless manner in which many of the German Princes and all the German popular meetings were ready to set the faith of Treaties at defiance, Her Majesty's Government could not wonder that the King of Denmark was ready to defend Schleswig, and to consider its hostile occupation as a fatal blow to the integrity of his dominions.

But I could not doubt that he would be assisted by Powers friendly to Denmark in that defence.

I said that all we asked was time for examination and peaceful settlement.

That for my own part I had wondered at the patience shown by Germany during eleven years of ill-usage of his German subjects by the late King. But this patience formed a striking contrast to the impatience shown during the short period in which the present King had been on the throne. He is well-disposed; he could not at once settle a long and bitter dispute, but with a little time everything might be obtained without bloodshed, which Prussia now sought in arms.

Count Bernstorff adverted shortly, but pointedly to the dangers which might be incurred by Europe if Germany and England should ever become enemies.

I fully admitted them, and as fully regretted their existence: but I said that since the month of May, Great Britain had warned Austria of these dangers; that Prussia and Germany had likewise been warned, but that the voice of England was unheeded, and little time was now left for counsel, wisdom, and moderation. I hoped it would not be thrown away.

No. 697.

Earl Russell to Earl Cowley.

My Lord, *Foreign Office, January* 14, 1864.

I INCLOSE a copy of a despatch addressed by M. Monrad to M. Bille, His Danish Majesty's Representative at this Court,* requesting, in the terms of the Protocol of Paris of the 14th April, 1856, that the European Powers who signed the Treaty of London would mediate in the dispute now existing between Germany and Denmark.

I wish you particularly to call M. Drouyn de Lhuys' attention to the passage in which M. Monrad declares that what is of importance to Denmark, and is of extreme necessity, is that the mediators should interfere in time, and before blood begins to flow.

I therefore desire you to urge M. Drouyn de Lhuys to give an answer to my despatch of the 5th instant, which you communicated to him on the 6th instant. Replies expressing a readiness to consult in common on these affairs, so important to the peace of Europe, have been received both from St. Petersburgh and from Stockholm. There is some difference, indeed, as to the form, but a Conference of all the Powers who signed the Treaty of London appears to Her Majesty's Government the best and most acceptable form.

I am, &c.
(Signed) RUSSELL.

No. 698.

Mr. Gordon to Earl Russell.—(Received January 15.)

My Lord, *Stuttgardt, January* 13, 1864.

THE Vienna correspondent of the "Times," in his letter of the 5th instant, published in the number for the 9th, says, that "four days ago (the 31st of December, 1863, Baron Hügel, the Minister for Foreign Affairs in Wurtemberg, told the Lower Chamber that the most beseeming reply the German Bund could give to Earl Russell's 'roughs ('derbe') note would be the immediate recognition of the validity of the rights of Duke Frederick."

* No. 682.

Not having seen or heard here any report of such words as uttered by his Excellency on the above occasion, I took the opportunity yesterday of Baron Hügel's weekly reception of the foreign Representatives to ask him whether the statements of the "Times" correspondent were correct. Baron Hügel assured me that there was not a word of truth in it, and I have the honour to refer your Lordship to the inclosure in my despatch of the 31st ultimo for a correct report of his Excellency's declaration in the Lower Chamber the same day.

I have, &c.
(Signed) G. J. R. GORDON.

No. 699.

Earl Cowley to Earl Russell.—(*Received January* 15.)

My Lord, *Paris, January* 13, 1864.

COUNT MOLTKE, the Danish Minister, waited yesterday afternoon upon M. Drouyn de Lhuys, with the intention of communicating to him the despatch asking for the good offices of France to assist in settling the question of the Duchies, the arrival of which in Paris I had the honour to announce to your Lordship in my despatch of yesterday's date.

M. Drouyn de Lhuys interrupted Count Moltke as the latter was about to read the despatch aloud, observing that he had a pressing engagement, and that he would peruse despatch at his leisure. He would communicate the contents of it to the Emperor to-day, and inform Count Moltke of the reply which was to be made to it.

Upon Count Moltke saying that he trusted that he might rely on the French Government supporting at Frankfort the project of mediation, M. Drouyn de Lhuys answered affirmatively.

I have, &c.
(Signed) COWLEY.

No. 700.

Earl Cowley to Earl Russell.—(*Received January* 15.)

(Extract.) *Paris, January* 14, 1864.

YOUR Lordship's despatch of the 10th instant reached me this morning. Your Lordship will have learnt by my despatch of the 12th instant that I had already communicated with M. Drouyn de Lhuys on the subject of its contents, which had been made known to me by telegraph, and that his Excellency would give me no answer until he could have taken the Emperor's orders.

On reading to him to-day your Lordship's despatch of the 10th instant, his Excellency said that the Emperor could see no advantage in stating to the Diet of Frankfort that an invasion by Federal troops of the Duchy of Schleswig would be an act of war, inasmuch as it appeared that it was Austria and Prussia who were about to propose that invasion, and even to undertake it with Austrian and Prussian troops, whether the Diet was a consenting party or not. It seemed, therefore, to His Majesty that it would be more logical to address any representations which might be necessary to the two great German Powers.

As to the four Powers impressing upon the Diet the heavy responsibility that it would incur if by any precipitate measures it were to break the peace of Europe before the Conference which had been proposed by the British Government for considering the means of settling the question between Germany and Denmark, and thereby maintaining that peace, can be assembled, M. Drouyn de Lhuys observed that he had not forgotten that when Russia had been warned by France, Great Britain, and Austria of the responsibility which she was incurring by her conduct towards Poland, Prince Gortchakoff had replied, "that Russia was ready to assume that responsibility before God and man." He for one did not wish to provoke another answer of the same sort to be received with the same indifference.

But he was not on this account, his Excellency continued, less alive to the danger which menaced the peace of the North of Europe, and although he could not join in any formal representation to be made to the Diet, as suggested by Her Majesty's Government,

he would address despatches to the Emperor's Representatives at Vienna and Berlin, calling the serious attention of the Austrian and Prussian Governments to the present state of the Danish question, and exhorting them to employ their authority to obtain such declarations from the Diet as would render the meeting of a Conference possible, and he would at the same time send such instructions to the Emperor's Minister at Frankfort as would enable him in his conversations with the various members of the Diet to aid any endeavours which might be made by Austria and Prussia in the sense indicated above.

It is M. Drouyn de Lhuys' intention to write a despatch to the Prince de la Tour d'Auvergne, for communication to your Lordship in answer to the proposal of Her Majesty's Government.

No. 701.

Earl Cowley to Earl Russell.—(Received January 15.)

My Lord, *Paris, January* 14, 1864.

I ASKED M. Drouyn de Lhuys this afternoon whether any decision had been taken in regard to the answer to be returned to the Danish demand of intervention for the settlement of the question of the Duchies which I understood, I said, had been made through Count Moltke.

M. Drouyn de Lhuys replied that the Danish despatch which had been communicated to him through Count Moltke was of a very vague nature, the greater part of it being an answer to the French proposal of a restricted Congress. Towards the end, however, the Danish Government had expressed a desire, that if this Congress could not be convoked, the question of the Duchies might at once be taken into consideration by the Powers who had signed the Treaty of 1852, with a view to its settlement in a manner consistent with the stipulations of that Treaty, and in such a mode as the Powers might deem advisable.

He had taken the Emperor's orders upon the subject, and he should inform the Danish Minister that the French Government would not object to join in a Conference or a mediation, provided that the one or the other should be accepted by Germany, and that the *status quo* of the Duchies, both military and political, should be respected during negotiations.

I have, &c.
(Signed) COWLEY.

No. 702.

*Earl Russell to Lord Napier.**

My Lord, *Foreign Office, January* 15, 1864.

I HAVE to instruct you to endeavour to ascertain what reply the Russian Government propose to make to the application which the Danish Government is understood to have made to it, as well as to the Prussian and other Governments, for mediation in its differences with Germany, in conformity with the principle laid down in the 23rd Protocol of the Conference at Paris in the year 1856.

I am, &c.
(Signed) RUSSELL.

No. 703.

Earl Russell to Sir A. Paget.

Sir, *Foreign Office, January* 15, 1864.

I HAD a conversation yesterday with M. de Bille on the subject of the despatch addressed to him by Bishop Monrad, on the part of the Danish Government, offering to refer the differences between Denmark and Germany to the mediation of the Powers who signed the Treaty of London.

I informed him that Her Majesty's Government would be willing to offer their good

* A similar despatch was addressed to Earl Cowley.

offices for the settlement of the differences between Germany and Denmark in concert with the other Powers to whom the application of the Danish Government had been addressed.

You will say to Bishop Monrad that unless the King of Denmark will consent to call together the Rigsraad without delay, and will submit to them a proposal for the repeal of the Constitution of November 18, in so far as it relates to Schleswig, Her Majesty's Government fear that it will be useless to make any representations to Prussia and Austria. As it is probable that the convocation of the Rigsraad will be necessary for other purposes, the Danish Government might at once take the steps which has been suggested by Her Majesty's Government.

I am, &c.
(Signed) RUSSELL.

No. 704.

Lord Napier to Earl Russell.—(*Received January* 16.)

My Lord, *St. Petersburgh, January* 10, 1864.

I HAVE the honour to transmit to your Lordship herewith an extract of the official journal of $\frac{\text{December 28}}{\text{January 9}}$, containing the Protocol signed at Warsaw on $\frac{\text{May 24}}{\text{June 5}}$, 1851, between the Plenipotentiaries of Russia and Denmark, whereby the Emperor of Russia renounced all his eventual rights in the Danish Duchies, as chief of the eldest branch of the House of Holstein-Gottorp, in favour of Prince Christian of Glücksburg, the Princess of Glücksburg, and their issue male, the express motive of such renunciation being the preservation of the North and the maintenance of the integrity of the Danish Monarchy. By the same instrument the rights of the Russian House are reserved in case of the extinction of the male issue of the Prince and Princess of Glücksburg.

I asked Prince Gortchakoff what were the motives which had prompted the insertion of this Protocol, the basis of the Treaty of London, in the official journal at the present conjuncture. The Vice-Chancellor replied, that the Protocol had been inserted in consequence of a Circular Memorandum which had been addressed by the Prince of Augustenburg to the Free Cities of Germany, and probably to the Governments represented at the Diet, affirming that the rights of the Imperial House of Russia were entirely eliminated. The conclusions of this Memorandum, are as follows:—

From the foregoing exposition the following conclusions must be clearly demonstrated to every judicious mind:

1. That the share of the Duchy of Holstein, formerly constituting the Principality or belonging to the line of Gottorp, has now, after the extinction of the male line of the Royal House of Denmark, become subject with the rest of Holstein to the sovereign rights of the line of Augustenburg, as the eldest line.

2. That the House of Gottorp, and together with the same, the Imperial line of Russia, can raise no claim to the Succession in Holstein as long as the House of Sonderburg flourishes in the male descent.

The circulation of such a Declaration by the Prince of Augustenburg, to the prejudice of the rights of the Imperial family of Russia, rendered it imperative, according to Prince Gortchakoff, that the act of renunciation with its motives and conditions should be again placed upon record. Russia in so doing was, however, moved by no selfish design. She desired to recall to Germany and Europe that the principle in which all these transactions had been based was the desire to maintain the integrity of the Danish Monarchy.

I have, &c.
(Signed) NAPIER.

Inclosure in No. 704.

Protocol signed at Warsaw, $\frac{\text{May 24}}{\text{June 5}}$, 1851.

SA Majesté l'Empereur de toutes les Russies et Sa Majesté le Roi de Danemark, prenant en considération les transactions conclues entre leurs augustes prédécesseurs dans les années 1767 et 1773;

Considérant qu'autant pour établir le repos du Nord de l'Europe sur un pied durable que pour écarter tout ce qui pouvait alors ou dans l'avenir donner lieu à des malentendus ou différends dans l'auguste Maison d'Oldenbourg, l'Empereur Paul, de glorieuse mémoire

alors Grand Duc de Russie, a renoncé pour lui-même, ainsi que pour ses héritiers et descendants, en faveur de Sa Majesté le Roi Chrétien VII, de glorieuse mémoire, ainsi que des héritiers de sa Couronne Royale, à tous ses droits et prétentions au Duché de Slesvig en général, comme à la partie ci-devant princière de ce Duché en particulier; que de la même manière et par les mêmes motifs Sa Majesté l'Empereur Paul a cédé pour lui-même, ainsi que pour ses descendants, héritiers, et successeurs, tout ce qu'il possédait dans le Duché de Holstein, soit en commun avec Sa Majesté le Roi de Danemark, soit séparément;

Considérant que cet Acte de Cession du Duché de Holstein n'a eu lieu expressément qu'en faveur de Sa Majesté le Roi Chrétien VII et de sa descendance mâle, ainsi qu'éventuellement en faveur de feu le Prince Frédéric, frère du Roi, et de la descendance mâle de ce Prince; et que les éventualités qu'admettaient les termes mêmes de cet Acte de Cession se sont en partie déjà réalisées par l'extinction de la descendance mâle du Roi Chrétien VII, ou peuvent se réaliser dans un avenir plus ou moins rapproché, sans que les dites transactions y aient pourvu d'aucune manière;

Prévoyant les dangers que ce silence des Traités existants peut avoir pour la Monarchie Danoise, si, à la suite de l'extinction de la lignée mâle actuellement sur le Trône de Danemark, le *lex regia* recevait son application pure et simple à une partie de cette Monarchie;

Se sont reconnu l'obligation et le droit, comme successeurs des augustes parties contractantes aux transactions de 1767 et 1773, de s'entendre ultérieurement sur les combinaisons les plus appropriées au double but qu'elles ont eu en vue.

En conséquence, les Soussignés, après un mûr examen de toutes les questions qui se rattachent à cette affaire, ont arrêté entre eux, sous la réserve expresse de la haute approbation de leurs Souverains respectifs, et ont consigné dans le présent Protocole les points qui suivent:—

1. Le but qu'on se propose dans l'intérêt de la paix du Nord autant que dans celui de la paix intérieure de l'auguste Maison d'Oldenbourg, savoir, le maintien de l'intégrité de la Monarchie Danoise, ne peut être réalisé qu'au moyen d'une combinaison qui appelle à la Succession, dans la totalité des Etats actuellement réunis sous le sceptre de Sa Majesté le Roi de Danemark, la seule descendance mâle à l'exclusion des femmes.

2. La descendance mâle du Prince Chrétien de Slesvig-Holstein-Sonderbourg-Glücksbourg, et de son épouse Madame la Princesse Louise de Hesse, réunit en elle les droits d'hérédité qui, à l'extinction de la lignée mâle actuellement régnante en Danemark, lui échoient en vertu des renonciations de Son Altesse Royale Madame la Landgrave Charlotte de Hesse, de son fils Monseigneur le Prince Frédéric de Hesse, et de sa fille Madame la Princesse Marie d'Anhalt-Dessau.

3. Voulant, de son côté, compléter les titres résultant de ces renonciations et amener ainsi une combinaison qui serait d'un si haut intérêt pour le maintien de la Monarchie Danoise dans son intégrité, Sa Majesté l'Empereur de toutes les Russies, comme chef de la branche aînée de Holstein-Gottorp, serait prêt à renoncer aux droits éventuels qui lui appartiennent en faveur de Monseigneur le Prince Chrétien de Glücksbourg et de sa descendance mâle.

Toutefois il est entendu:

Que les droits éventuels des deux branches cadettes de Holstein-Gottorp seraient expressément réservés;

Que ceux dont l'auguste chef de la branche aînée ferait l'abandon, pour lui-même et pour sa descendance mâle, en faveur du Prince Chrétien de Glücksbourg et de sa descendance mâle, renaîtraient dans la Maison Impériale de Russie à l'époque où (ce qu'à Dieu ne plaise) la descendance mâle de ce Prince viendrait à s'éteindre;

Que puisque la renonciation de Sa Majesté l'Empereur aurait principalement pour but de faciliter une combinaison que réclament les premiers intérêts de la Monarchie, l'offre d'une pareille renonciation cesserait d'être obligatoire si la combinaison elle-même venait à manquer.

4. Par suite des considérations qu'indiquent les §§ 2 et 3 ci-dessus, Monseigneur le Prince Chrétien de Glücksbourg, conjointement avec Madame la Princesse son épouse, et à leur défaut la descendance mâle de leurs Altesses, auraient plus qu'aucune autre branche des titres qui les rendent habiles à succéder, le cas échéant, dans les Etats réunis actuellement sous le sceptre de Sa Majesté Danoise.

En conséquence les deux Cours de St. Pétersbourg et de Copenhague sont convenues:—

Que Sa Majesté le Roi de Danemark désignera le Prince et la Princesse de Glücksbourg, conjointement, comme les héritiers présomptifs de sa Couronne, pour le cas où la ligne mâle de la Dynastie actuellement régnante viendrait à s'éteindre;

Que Sa Majesté fera connaître sa haute détermination aux Puissances amies du Danemark;

Que si, pour assurer la complète réussite de cette combinaison, encore d'autres renonciations étaient jugées utiles et désirables, ce serait à Sa Majesté Danoise à se charger des indemnités auxquelles il pourrait être reconnu des titres justes et équitables;

Enfin, que c'est à Londres qu'auront lieu les négociations nécessaires pour donner aux arrangements en vertu desquels le Prince et la Princesse de Glücksbourg seront reconnus comme successsurs présomptifs au Trône de Danemark, le caractère d'une transaction Européenne.

Les Soussignés se réservent de soumettre le présent Protocole à leurs augustes Souverains, et de solliciter leur haute approbation en faveur des dispositions qu'il renferme.

Varsovie, le $\frac{24 \text{ Mai}}{5 \text{ Juin}}$, 1851.

(Signé) NESSELRODE.
MEYENDORFF.
REEDTZ.

(Translation.)

HIS Majesty the Emperor of all the Russias, and His Majesty the King of Denmark, taking into consideration the engagements entered into between their august predecessors in the years 1767 and 1773;

Considering that, as well for establishing the tranquillity of the North of Europe on a durable footing, as for removing all that could then, or for the future, give rise to misunderstandings or differences in the august House of Oldenburg, the Emperor Paul, of glorious memory, then Grand Duke of Russia, renounced for himself, as also for his heirs and descendants, in favour of His Majesty King Christian VII, of glorious memory, as also of the heirs of his royal crown, all his rights and pretensions to the Duchy of Schleswig in general, and to the heretofore princely portion of that Duchy in particular;

That in the same manner, and from the same motives, His Majesty the Emperor Paul ceded for himself, as also for his descendants, heirs, and successors, all that he possessed in the Duchy of Holstein, whether in common with His Majesty the King of Denmark, or separately;

Considering that this Act of Cession of the Duchy of Holstein has only been made expressly in favour of His Majesty King Christian VII, and of his male lineage, and also eventually in favour of the late Prince Frederick, the King's brother, and of the male lineage of that Prince, and that the eventualities which the terms themselves of this Act of Cession admitted, have already in part been realized by the extinction of the male lineage of King Christian VII, or may be realized at a period more or less near, without the said transactions having in any manner provided for them;

Foreseeing the dangers which this silence in existing Treaties may cause to the Danish Monarchy, if, on the extinction of the male line actually on the throne of Denmark, the *lex regia* should receive its pure and simple application to one part of the Monarchy;—

Have acknowledged the obligation and the right, as Successors of the august contracting parties to the engagements of 1767 and 1773, to come to an understanding as to the ulterior arrangements most suited to the double objects which they have had in view.

In consequence, the Undersigned, after mature examination of all the questions connected with this affair, have agreed among themselves, under the express reservation of the high approbation of their respective Sovereigns, and have embodied in the present Protocol the points which follow:—

1. The objects proposed in the interest of the peace of the North, as well as that of the internal peace of the august House of Oldenburg, namely, the maintenance of the integrity of the Danish Monarchy, can only be realized by means of an arrangement summoning to the Succession of the whole of the States actually united under the sceptre of His Majesty the King of Denmark, the male lineage solely, to the exclusion of women.

2. The male lineage of Prince Christian of Schleswig-Holstein-Sonderbourg-Glücksburg and of his consort the Princess Louise of Hesse, unites in itself the rights of inheritance, which, on the extinction of the male line actually reigning in Denmark, devolve upon it in virtue of the renunciations of Her Royal Highness the Landgravine Charlotte of Hesse, of her son Prince Frederick of Hesse, and of her daughter the Princess Mary of Anhalt-Dessau.

3. Wishing on his part to complete the titles resulting from these renunciations, and thus to effect an arrangement which would be of such high importance and interest for the maintenance of the Danish Monarchy in its integrity, His Majesty the Emperor of all the Russias, as chief of the elder branch of Holstein Gottorp, would be ready to renounce the

eventual rights which belong to him in favour of Prince Christian of Glücksburg, and of his male lineage.

Nevertheless it is understood:

That the eventual rights of the two younger branches of Holstein-Gottorp should be expressly reserved;

That those which the august Chief of the elder branch should abandon for himself and for his male lineage in favour of Prince Christian of Glücksburg and of his male lineage, should be revived in the Imperial House of Russia whenever (which God forbid) the male lineage of that Prince should become extinct;

That inasmuch as the renunciation of His Majesty the Emperor would principally have for its object to facilitate an arrangement called for by the first interests of the Monarchy, the offer of such a renunciation would cease to be obligatory if the arrangement itself should fail.

4. In consequence of the considerations which are above pointed out by the above §§ 2 and 3, the Prince Christian of Glücksburg, conjointly with the Princess his consort, and in their default the male lineage of their Highnesses, would have, more than any other branch, claims which qualify them to succeed, if the contingency should arrive, to the States actually united under the sceptre of His Danish Majesty.

Consequently, the two Courts of Copenhagen and of St. Petersburgh have agreed,—

That His Majesty the King of Denmark shall designate the Prince and Princess of Glücksburg conjointly as heirs presumptive of his Crown, in case the male line of the dynasty actually reigning should become extinct;

That His Majesty shall make known his high determination to the Powers in amity with Denmark;

That if, to ensure the complete success of this arrangement, still further renunciations should be deemed useful and desirable, it would be for His Danish Majesty to make himself responsible for the indemnities to which just and equitable claims should be established;

Finally, that the negotiations necessary to give to the arrangements in virtue whereof the Prince and Princess of Glücksburg shall be acknowledged as successors presumptive to the throne of Denmark, the character of an European transaction, shall take place in London.

The Undersigned reserve to themselves to submit the present Protocol to their august Sovereigns, and to solicit their high approbation in favour of the provisions it contains.

(Signed) NESSELRODE.
MEYENDORFF.
REEDTZ.

Warsaw, $\frac{\text{May } 24}{\text{June } 5}$, 1851.

No. 705.

Lord Napier to Earl Russell.—(Received January 16.)

(Extract.) *St. Petersburgh, January 10, 1864.*

MESSENGER DRURY arrived here last night and placed in my hands your Lordship's despatch of the present year, enforcing the pressing necessity for a Conference of the Powers signatary of the Treaty of London, or for a mediation of the four non-German Governments parties to that instrument, with a view to the maintenance of the European peace and the definitive regulation of the matters in controversy between Denmark and Germany.

In conformity with your Lordship's orders I waited on Prince Gortchakoff without loss of time and placed in his Excellency's hands a copy of your Lordship's despatch.

As the result of my conversation with the Vice-Chancellor I retain the following conclusions:—

1stly. That the Russian Cabinet will take no step whatever until they have been placed in possession of the official overture of the Cabinet of Copenhagen, which will probably reach this Government on the 11th or 12th instant.

2ndly. That the Russian Cabinet will have great reluctance in addressing any representations to the Government of Prussia in common with the Diet.

3rdly. That the Russian Cabinet will be indisposed to make any demand of a categoric and formal nature in any quarter without deliberating maturely on the consequences attending a refusal and without an exact knowledge of the course which Her Majesty's Government will pursue in the same contingency.

No. 706.

Lord Napier to Earl Russell.—(*Received January* 16.)

My Lord, *St. Petersburgh, January* 11, 1864.

I RECEIVED your Lordship's telegram of the 10th January last night, by which I am directed to suggest to Prince Gortchakoff that the Governments of England, France, and Sweden should instruct their respective Ministers at Frankfort to represent to the Diet that the passage of the Eider by the Federal troops would be an act of war against Denmark, and that the Diet is earnestly entreated to consider the consequences of a war begun by Germany by an act of aggression on a non-German territory, while Her Majesty's Government are engaged in arranging a Conference of the Powers which signed the Treaty of London for the purpose of regulating this controversy. I placed at the same time in the hands of Prince Gortchakoff the substance of your Lordship's overture in French for the consideration of the Emperor, and I strongly recommended this step to the prompt adoption of the Imperial Cabinet, remarking that it was quite distinct from the proposal for simultaneous and nearly identical notes to be presented to the Governments of Austria, Prussia, and the Diet—a proposal which might be acted on afterwards.

The Vice-Chancellor received your Lordship's overture with satisfaction, and said that he would take the orders of the Emperor without delay. He preferred this proposal to that of the joint notes, for it was addressed to the Diet, and not to Austria and Prussia; his object being to separate the Diet as much as possible from the two great German Powers, and encourage the latter to resume that control over the Germanic Confederation which by their weakness they had abdicated.

I doubt whether Prince Gortchakoff will adopt the identical expressions made use of by your Lordship. He will perhaps decline to qualify the invasion of Schleswig as an "act of war," but I hope that he will consent to address a remonstrance to the Diet generally conformable to your Lordship's suggestion.

I pressed upon the Vice-Chancellor the expediency of sending off such a despatch at once, not later than to-morrow night if possible.

I have, &c.

(Signed) NAPIER.

No. 707.

Lord Napier to Earl Russell.—(*Received January* 16.)

My Lord, *St. Petersburgh, January* 11, 1864.

THE Vice-Chancellor, in speaking to-day of the proposed Conference for the regulation of the Danish question, remarked to me that he did not consider the presence of a Representative of the Diet in such a Conference to be a *sine quâ non*. Russia would join a Conference on this subject, in which Representatives of all the signatary Powers should be assembled, even in the absence of a Plenipotentiary of the Confederation.

I have, &c.

(Signed) NAPIER.

No. 708.

Lord Napier to Earl Russell.—(*Received January* 16.)

(Extract.) *St. Petersburgh, January* 11, 1864.

PRINCE GORTCHAKOFF remarked to me this forenoon as a suggestion which might be discussed between Her Majesty's Government and the Russian Cabinet, that Denmark might be moved to admit the occupation of Schleswig by a Prussian or Austrian force, as affording a material guarantee to the two German Powers of the execution by Denmark of its engagements in reference to the German population of that province. In return for this concession on the part of Denmark, the Prince of Augustenburg should be removed from Holstein, and all demonstrations in his favour made or tolerated by the Federal authorities or troops should be put a stop to. If the Federal authorities failed to carry out this condition, they would themselves be withdrawn from the Duchy, and their place taken by the troops of Prussia and Austria.

I said to Prince Gortchakoff that I would transmit his suggestion to Her Majesty's

Government. I could, however, scarcely believe that the occupation of Schleswig by the forces of any German State would be viewed with satisfaction by Her Majesty's Government. I feared that in regard to the German part of Schleswig, M. de Bismarck himself was scarcely to be trusted. How was the Prince of Augustenburg to be repelled from Holstein. The Diet had already refused to do so; were Austria and Prussia to act arbitrarily for that purpose. If the Federal authorities refused or neglected to prohibit the demonstration on behalf of the Pretender, how were the Federal troops to be repelled, and to be replaced by Austrian and Prussian troops; were they to be turned out by force of arms? I feared there would be great difficulties in such a course.

No. 709.

Sir A. Buchanan to Earl Russell.—(Received January 16.)

(Extract.) *Berlin, January 14, 1864.*

I HAVE mentioned to a well-informed person, that I have seen two gentlemen who have just come from Holstein, and that they both consider the whole country unanimous in favour of the sovereignty of the Prince of Augustenburg. He said that a traveller passing through the towns and living in hotels would be led, no doubt, to conceive this to be the case, but that an entirely different feeling prevailed in the country districts; though deputations might be got up to do homage to the Prince even from the country, as he had good reason to believe that not less than 2,000 agents of the National Verein had been sent into the Duchy to agitate and excite the people. He said a system of terror also prevailed, which few persons were able to resist.

No. 710.

Sir A. Buchanan to Earl Russell.—(Received January 16.)

My Lord, *Berlin, January 14, 1864.*

I AM told that the Saxon Minister at this Court has communicated to M. de Bismarck copies of a correspondence which has lately taken place between Her Majesty's Minister at Dresden and M. de Beust respecting the manner in which the Federal Execution in Holstein has been used to promote a revolution in that Duchy. My informant also stated that M. de Bismarck observed, after reading the correspondence, that the Saxon Government would have expressed itself less uncourteously if Great Britain were a neighbouring Power with a large army, or if Saxony were a maritime State.

I have, &c.

(Signed) ANDREW BUCHANAN.

No. 711.

Sir A. Buchanan to Earl Russell.—(Received January 16.)

My Lord, *Berlin, January 14, 1864.*

I HAVE communicated to M. de Bismarck the substance of your Lordship's telegram of yesterday, in which you state that the new Danish Constitution might be repealed in ten days or a fortnight, in a Constitutional manner, if the King of Denmark would convoke the Rigsraad immediately, and that the grounds on which Austria and Prussia propose to enter Schleswig would be much strengthened if the King were to refuse to propose the repeal of the Constitution to the Rigsraad, and if the Rigsraad were to refuse to sanction its repeal, and Austria and Prussia, by giving Denmark sufficient time to repeal the Constitution in this manner, would have a much better cause.

M. de Bismarck merely repeated what he has already said, that Austria and Prussia require the repeal of the Constitution or the occupation of Schleswig, and that consequently if the Constitution is repealed the invasion of Schleswig cannot take place.

It is for Denmark, therefore, to avail herself of the time which must necessarily elapse before the military preparations are completed to repeal the Constitution, but he said he could make no communication to her as to the time which will be required before the troops will be ready.

Count Karolyi speaks of the summons to Denmark being made to-morrow; and I

presume, therefore, it was forwarded by a messenger despatched last night to Copenhagen, to be delivered in the name of the Confederation, or of Austria and Prussia as circumstances may require, after the vote of the Diet to-day.

Count Karolyi says it is quite impossible that the military preparations should be completed before the 1st of February.

I have, &c.
(Signed) ANDREW BUCHANAN.

No. 712.

Sir A. Buchanan to Earl Russell.—(*Received January* 16.)

My Lord, *Berlin, January* 14, 1864.

THE Danish Chargé d'Affaires delivered yesterday to M. de Bismarck the note addressed by M. Monrad to his Excellency, on the 6th instant, inviting Prussia to take part in a Conference for the settlement of the differences between Germany and Denmark, which the Danish Government have proposed to the Powers who signed the Treaty of London.

M. de Bismarck made no observations of importance on this subject to M. de Guldencrone, and when I asked him this morning what answer he intended sending to the proposal of Denmark, he said that he must ascertain the opinion of the Cabinet of Vienna before taking a decision. He also excused himself from giving me an official answer as to the basis which your Lordship has proposed for the negotiations in the intended Conference by saying he was still in communication with respect to them with the Austrian Government. I said that I hoped he would be able to give me an answer before the departure of the weekly messenger on Saturday, and he replied that he could not promise, as it would be necessary to make some reservation as to the future in case the Conference proved abortive. I answered that your Lordship had already stated that each Government would be free in such an eventuality to act as they might think necessary for their own national honour, and if he had any reservation to make in conformity with the opinions of Her Majesty's Government, he ought to state it at once.

I have, &c.
(Signed) ANDREW BUCHANAN.

No. 713.

Sir A. Buchanan to Earl Russell.—(*Received January* 16.)

My Lord, *Berlin, January* 14, 1864.

I HAVE the honour to inclose herewith the copy of a report which I have received from Mr. Grosvenor of the result of his inquiries and of his own observation on the state of affairs in Holstein, and in Schleswig with relation to Holstein; and I feel assured that your Lordship will approve of the intelligent and satisfactory manner in which Mr. Grosvenor has performed the duty which I had much pleasure in confiding to him.

I have, &c.
(Signed) ANDREW BUCHANAN.

Inclosure in No. 713.

Mr. Grosvenor to Sir A. Buchanan.

(Extract.) *Berlin, January* 14, 1864.

IN conformity with your Excellency's instructions of the 6th instant, I proceeded to Kiel, Rendsburg, Schleswig, and Flensburg, and have now the honour to report to your Excellency the information which I have obtained on my journey.

First, as regards the agitation prevailing in Holstein in favour of the Prince of Augustenburg.

The demonstrations made are the following: The arms of Denmark are nowhere to be seen in Holstein. In their place the flags of Germany and Schleswig-Holstein, together with the Schleswig-Holstein arms, are planted in a conspicuous position at every railway

station on the road from Altona to Kiel. The great majority of the passengers and all the bystanders at the railway stations were decorated with a Schleswig-Holstein cockade.

At Kiel I found Schleswig-Holstein flags and arms and a German flag hanging from almost every house in the town, and all down the principal streets there were festoons hanging across from one side of the street to the other, with a printed "Welcome" in the centre. A band of musicians played, on the second day I was in Kiel, the Schleswig-Holstein air up and down the streets for about two hours.

The residence of the Prince of Augustenburg, the "Railway Hotel," was furnished with a guard of honour, composed of two members of the Rifle corps ("Schützen") of the town, armed but in plain clothes.

Every shop-window had in it Schleswig-Holstein colours, and every second wayfarer in the streets had on his person the same colours. The newspapers which were in the coffee-room of my hotel were of a most decidedly Augustenburg tendency; one of the local newspapers containing an Address in verse to His Highness, presented by the young ladies of the town, and an article calling upon all those in whose veins ran German blood to come and pay homage to their rightful Sovereign, and to take up earnestly his cause, in which was united the vindication of liberty and nationality.

I had the opportunity at Kiel of conversing with several of the partisans of the Prince of Augustenburg, and they were all confident of the feelings of the people of Holstein in favour of the Prince of Augustenburg, and gave as proofs the enormous number of deputations received by His Highness, the very small number of the officials who had taken the oath of allegiance to King Christian, the large numbers of all classes who attended the meeting at Elmshorn (during a most inclement state of weather), where His Highness was proclaimed Duke of Holstein, and the universal adoption of outward forms of demonstration throughout the country. More than that, they said, could not be done so long as the Prince of Augustenburg was not recognized by the Diet as the legitimate Sovereign of the country.

The Federal troops are exceedingly popular in Holstein, as they do not appear to have any orders whatever to interfere with the popular demonstrations now taking place. I asked an officer whether all these demonstrations were permissible: and he replied that the Federal troops were in Holstein for the purpose of keeping order and preventing riots or armed outbreaks, and not for the purpose of interfering with the liberties of the people, so long as the latter had only recourse to peaceable demonstrations of their feelings. The town of Kiel was very full, and, I believe, owing to deputations which are constantly arriving from all parts of Holstein to lay their homage at the feet of the Prince of Augustenburg.

At Rendsburg, where I remained a day on my road to Schleswig, less outward demonstrations of popular enthusiasm met the eye. There were, however, a good number of Schleswig-Holstein and German flags hanging from windows of houses in the town, but no festoons across the streets. A Schleswig-Holstein and a German flag, I am told, had to be taken down the other day from their position, in consequence of a remonstrance on the part of the Danish Commauder of the garrison on the Schleswig frontier of Rendsburg, these flags being placed too close to the Danish lines.

Conversations which I had with inhabitants of the middle class in Rendsburg led to precisely similar results as those which I had had at Kiel. Great confidence was expressed as to the feeling of the whole country in favour of the Prince of Augustenburg; much satisfaction was testified at the presence of German troops in the Duchy, and great hopes expressed that the claims of the Prince of Augustenburg would receive their well-merited justification at the hands of the Diet.

With reference to the second point, namely, the position of Schleswig as connected with Holstein, I have held conversation with several of the avowed partisans of the Prince of Augustenburg, with merchants in the four towns I have visited, and with other members of the middle classes, and one opinion only have I obtained as a result. This opinion is expressed by all those to whom I have spoken. It is, that though the question may be at present set at rest by the superior force of the Great Powers, and Schleswig and Holstein made to continue under the rule of Denmark, no satisfactory solution of the question will ever be obtained by this means, and the people of Schleswig, as well as those of Holstein, will never cease to endeavour to bring matters to a crisis, until they are freed from the yoke of Denmark, which they represent to have imposed too great practical grievances upon them for the feeling of hatred and mistrust which now reigns ever to die out, even if Denmark were bound hand and foot to fulfil her engagements. Some of the Holsteiners go so far as to say that as soon as Holstein is organized under the Prince of Augustenburg, they will declare alone their intention of freeing their brethren by force of arms, and that then every Schleswiger will rise up and that their real feelings, which are now crushed and mis-

represented by the Danes, would be shown. Several of the persons to whom I have spoken, have expressed an earnest wish that Lord Palmerston's proposal of universal suffrage should be adopted in Schleswig, the Danish army and Danish officials being removed, and neutrals being put in their place; for then, they say, not 5,000 souls would be found in Schleswig who would not vote for union with Holstein and independence of Denmark.

The grievances complained of, as the source of this hatred to Denmark, are: the Constitution of 1854, in which there are two paragraphs, the one restricting the signature of petitions to one person, and the other crippling the power of the Schleswig tribunals; the insolent contempt with which the decisions of the Schleswig Diet are treated at Copenhagen; and thirdly, the enforcement of the Danish language, and the neglect of the German in the schools; and lastly, the importation of Danish officials into the Duchy, to the exclusion of Germans, and the arbitrary censorship of the press. This is the language held by all those to whom I have spoken, and I am sure that the feeling is strong, because a person with whom I conversed at Flensburg, who is a strong Danish partisan according to his own admission, was compelled to acknowledge that the feeling was strong enough to prevent all possibility of association between Danes and Germans.

With reference to the first point, namely, the movement in Holstein, I must not omit to mention that on my return to Altona I passed through Rendsburg, and found the state of affairs somewhat changed. The same festoons and the same quantity of flags of Schleswig-Holstein and Germany were hanging in the streets as I had seen at Kiel. The Federal Commissioners who had been up to Rendsburg were about to proceed to Altona by the same train as myself, and when they got into the train they were lustily cheered by a large crowd assembled at the station, and three cheers being proposed by some bystander for the Prince of Augustenburg as Duke of Holstein, obtained the most enthusiastic reception. It appears that a meeting had been held the evening before in Rendsburg, and that the above-mentioned were the results.

Conversation not unfrequently turned upon public opinion in England on this question, and many were the complaints I heard of the total want of information on the subject shown by those organs of public opinion which had said the most about it; and also England's policy I have heard complained of, it being adduced that her policy in this instance is opposed to that pursued in the Italian and in the Greek question. What the persons whom I have met seem to fear most of all, is the intervention of Austria and Prussia in the question, for they declare that those two Great Powers betrayed the cause of Schleswig-Holstein when it was in its ascendant in 1850, and would do so again if they have it to deal with.

In conclusion I will give the ground on which all those whom I have spoken to support the claims of the Prince of Augustenburg.

His Highness is said by his adherents to be the next Agnate, the Agnatic Law of Succession prevailing in Holstein, and the new Law of Succession passed by the Danish Parliament never having been laid before the States of Holstein for their consent. They contend that the protest made by him relieves him from being bound by his father's illegal act, and moreover that the money received by the Duke of Augustenburg was for his property alone, and not as an equivalent to the renunciation of his rights.

No. 714.

Earl Cowley to Earl Russell.—(*Received January* 16.)

(Extract.) *Paris, January* 15, 1864.

I HAD the honour this morning to receive your Lordship's despatch of the 14th instant, in which you inclose copy of a despatch addressed by M. Monrad to M. Bille, requesting, in the terms of the Protocol of Paris of the 14th of April, 1856, that the European Powers who signed the Treaty of London would mediate in the dispute now existing between Germany and Denmark, to which you instruct me to call M. Drouyn de Lhuys' attention, at the same time to urge him to give an answer to your despatch of the 5th instant.

I have written to M. Drouyn de Lhuys in this sense.

Uncertain whether your Lordship may have a copy of Bishop Monrad's despatch to Count Moltke, I inclose one for your information.

Inclosure in No. 714.

Bishop Monrad to Count Moltke.

M. le Comte, *Copenhague, le 6 Janvier*, 1864.

SI les graves événements qui occupent à un si haut degré l'attention du Gouvernement du Roi ne lui ont pas permis de répondre plus tôt à l'invitation que M. Drouyn de Lhuys a adressé dernièrement au Danemark d'entrer dans des pourparlers qui serviraient à préparer le Congrès, j'aime à croire pourtant que le Cabinet de Paris n'a pas un instant douté de nos sentiments et de nos intentions. Car le Gouvernement Danois est du nombre de ceux qui ons accepté sans condition et sans hésitation l'invitation que l'Empereur avait adressé aux Cours de l'Europe pour se réunir en Congrès.

Depuis notre réponse des faits se sont produits, il est vrai, qui ont donnée à réfléchir à tous les Cabinets qui avaient salué avec satisfaction la noble initiative de l'Empereur. Grâce non moins aux principes qu'elle représente qu'aux forces matérielles dont elle dispose, le concours de l'Angleterre nous paraît indispensable à l'accomplissement de ce grand œuvre, mais jusqu'ici elle a cru devoir se refuser à la prêter. D'autres grandes Puissances ont plus ou moins explicitement adhéré à l'idée d'un Congrès qui résoudrait les questions politiques litigieuses en Europe ; mais en même temps elles agissent dans un sens tout contraire. Vous savez que l'Autriche et la Prusse ont changé le *statu quo* territorial Européen en permettant à la Diète d'envahir le Holstein et le Lauenbourg, et sous le prétexte d'une Exécution Fédérale procéder dans ces pays comme s'ils étaient arraché définitivement au Danemark par la conquête. Au lendemain de leur acceptation de la proposition d'un Congrès qui aurait pour but d'examiner consciencieusement les griefs, peser mûrement les droits et les prétentions et prononcer l'arrêt définitif de l'Europe, les Puissances Allemandes profitent de l'intervalle qui doit s'écouler avant la réalisation de l'idée pour se mettre en possession de l'objet du litige ; elles livrent des Provinces du Roi à l'agitation la plus effrenée et laissent proclamer le prétendant qui base son droit sur le mépris d'un Traité qui a pour signataires toutes les grandes Puissances, y compris les deux Puissances Allemandes. Et elles ne paraissent pas même vouloir se borner à ces actes entrepris contrairement aux obligations les plus simples découlant de l'acceptation de la grande idée de l'Empereur. De tous côtés on nous avertit que la Confédération se prépare à aller jusqu'à cette extrémité de tenter de résoudre la question Européenne de ses prétendus droits sur le Slesvig, par le moyen d'une attaque dirigée contre les Provinces Danoises qui se trouvent tout à fait en dehors de la compétence Fédérale.

En présence de ces refus et de ces acceptations démenties par leurs actions, il nous est peut-être permis de douter que la généreuse pensée dont la France a pris l'initiative puisse se réaliser dans toute son étendue. Mais, si notre confiance est aussi diminuée, notre conviction reste toujours la même. Nous avons salué avec bonheur le grand principe qui promettait que le droit du plus fort allait être remplacé dans l'ordre politique par le droit de la justice et de l'équité, et nous sommes intimement convaincus que la civilisation exige ce progrès, et que, par conséquent, la parole de l'Empereur ne restera pas une lettre morte. Avec une telle conviction profonde, notre adhésion est d'avance acquise à toute démarche que le Cabinet de Paris voudra faire en vue de surmonter les difficultés qui s'opposent à son projet. Mais, en même temps que nous nous associons à la nouvelle proposition du Cabinet de Paris, il nous sera permis d'appeler son attention, comme celle de tous nos alliés, sur l'urgence qu'il y a pour nous de voir les Puissances impartiales intervenir sans délai dans notre conflit avec l'Allemagne. Pour nous, en effet, l'idée d'un Congrès n'impliquait pas seulement un bienfait pour l'humanité, mais elle se présentait comme le moyen le plus efficace d'en arriver enfin à la solution de notre différend avec une grande nation qui n'a cessé de menacer notre existence. Le moment presse ; les évènements subversifs se succèdent avec toute la rapidité que les passions surexcitées peuvent leur imprimer, et l'Allemagne ne semble aspirer qu'à créer des faits accomplis qui préjugeraient toute solution équitable.

Je sais que le Gouvernement Impérial a parfaitement apprécié cet état de choses, qui préoccupe déjà d'autres Cabinets, et c'est avec un véritable plaisir que je viens d'apprendre que le Cabinet de Paris se trouve à ce sujet en pourparlers qui font preuve de la haute sollicitude que l'Empereur a toujours vouée à nos intérêts. Nous apprécions pleinement les difficultés que le problême d'une intervention diplomatique efficace peut présenter dans les circonstances actuelles, mais il ne nous appartient pas de prendre l'initiative pour trouver une forme, dont la détermination doit dépendre surtout des convenances et des vues générales des Puissances. Pour nous, la forme d'une médiation éventuelle est d'une importance secondaire ; car, soit que nous ayons à soutenir nos droits devant une réunion plus ou moins restreinte de Puissances impartiales, soit qu'il faille la traiter seule ou en

même temps que les autres questions politiques qui agitent l'Europe, nous avons la même confiance dans la justice et l'equité de nos alliés. Ce qui nous importe—et tout le monde en reconnaîtra à l'urgence—c'est que la médiation intervienne à temps, et avant que le sang ait commencé à couler.

L'Empereur nous a toute dernièrement encore conseillé de travailler à conserver la paix, et je suis convaincu qu'il voudra nous faciliter les moyens de le faire. Sa grande expérience lui permettra, nous l'espérons, de concilier les vues contraires et les appréciations opposées pour en arriver, sans de longs délais, à une forme sous laquelle les Puissances pourraient interposer leurs bons offices d'une manière efficace.

Veuillez, M. le Comte, donner lecture de cette dépêche à M. Drouyn de Lhuys et lui en laisser copie.

J'ai, &c.

(Signé) D. G. MONRAD.

(Translation.)

M. le Comte, *Copenhagen, January* 6, 1864.

IF the grave events which so seriously occupy the attention of the King's Government, have prevented their replying earlier to the invitation which M. Drouyn de Lhuys lately addressed to Denmark to enter into explanations which might serve to prepare the way for the Congress, I willingly believe, nevertheless, that the Cabinet of Paris has not for a moment entertained a doubt of our sentiments and intentions; for the Danish Government is of the number of those who have accepted unconditionally and without hesitation the invitation which the Emperor had addressed to the European Courts to assemble in Congress.

Since our reply events have happened, it is true, which have given cause for reflection to all the Cabinets which had hailed with satisfaction the noble initiative of the Emperor. Considering not less the principles which she represents than the material forces of which she disposes, the participation of England appears to us indispensable for the accomplishment of this great work, but hitherto she has thought it her duty to refuse it. Other great Powers have, with more or less explicitness, adhered to the idea of a Congress which should solve the political questions in dispute in Europe, but they act at the same time in a sense wholly contrary. You know that Austria and Prussia have changed the territorial *status quo* of Europe in permitting the Diet to invade Holstein and Lauenburg, and under the pretext of a Federal Execution to proceed in those countries as though they were definitively torn from Denmark by conquest. Immediately after they had accepted the proposal of a Congress whose object was to be conscientiously to examine complaints, deliberately to weigh rights and pretensions, and to pronounce the definitive sentence of Europe, the German Powers take advantage of the interval which must elapse before the realization of the project to take possession of the object in dispute; they deliver over the provinces of the King to the most unbridled agitation, and allow the Proclamation of a Pretender who founds his claim on the violation of a Treaty signed by all the great Powers, including the two German Powers. And they seem unwilling even to confine themselves to these acts undertaken in opposition to the most simple obligations involved in their acceptance of the Emperor's grand idea. On every side we are warned that the Confederation is preparing to go to the extremity of attempting to solve the European question of its pretended rights over Schleswig by means of an attack directed against the Danish Provinces lying wholly outside the Federal jurisdiction.

In presence of these refusals and of these acceptances belied by actions it may perhaps be allowed to us to doubt whether the generous idea of which France has taken the initiative can be realized in its whole extent. But if our faith is thus diminished, our conviction remains still the same. We hailed with delight the great principle which promised that the law of the strongest was about to be replaced amongst nations by the law of justice and equity, and we are firmly convinced that civilization demands this progress, and that consequently the word of the Emperor will not remain a dead letter. With so deep a conviction our adhesion is gained beforehand to every step which shall be taken by the Cabinet of Paris for the purpose of surmounting the obstacles which oppose themselves to its project. But at the same time that we adhere to the new proposal of the Cabinet of Paris, we shall be allowed to call its attention, as well as that of all our allies, to the urgent importance of our seeing the impartial Powers interfering without delay in our conflict with Germany. To us, in fact, the idea of a Congress did not merely imply a benefit to humanity, but presented itself as the most efficacious method of arriving at last at a solution of our dispute with a great nation that never ceases to threaten our existence. Time presses; events of a subversive nature succeed one another with all the rapidity which over-excited passions

can give them, and Germany seems anxious only to create accomplished facts in order to prejudice every equitable solution.

I am aware that the Imperial Government has fully appreciated this state of things, which already occupies the attention of other Cabinets, and it is with real pleasure that I have just learnt that the Cabinet of Paris has entered into negotiations on the matter which prove the great solicitude with which the Emperor has always regarded our interests. We fully appreciate the difficulties which the problem of an efficacious diplomatic intervention may present in present circumstances, but it is not for us to take the initiative in finding a form, the selection of which must depend, above all, on the convenience and on the general views of the Powers. For our part, the form of an eventual mediation is of secondary importance, for; whether we have to support our claims before an assembly more or less restricted of impartial Powers, or whether we have to treat it by itself or together with the other political questions which agitate Europe, we have the same confidence in the justice and equity of our allies. The thing which is of importance to us—and every one will recognize its urgency—is, that the mediation takes place in time, and before blood has commenced to flow.

Quite recently the Emperor has again counselled us to labour for the maintenance of peace, and I am convinced that he will facilitate the means of our doing so. His great experience will enable him, we hope, to reconcile contrary views and opposite appreciations in order to arrive, without great delay, at a form in which the Powers may be able to interpose their good offices in an efficacious manner.

You will be good enough, M. le Comte, to read this despatch to M. Drouyn de Lhuys, and to leave him a copy.

I have, &c.
(Signed) D. G. MONRAD.

No. 715.

*Earl Russell to Lord Bloomfield.**

My Lord, *Foreign Office, January* 16, 1864.

HER Majesty's Government have learnt with much regret that it is the intention of the Austrian and Prussian Governments to address a summons to the Danish Government, calling upon them to repeal the Constitution of last November within forty-eight hours; and in the event of Denmark refusing to do so, that the troops of Austria and Prussia will be ordered at once to enter Schleswig. Although Austria and Prussia profess to have no desire to endanger the throne of the King of Denmark, it is evident that they will run the risk of doing so if they do not give more time to the Danish Government. Her Majesty's Government are informed that the Russian Government are equally desirous that the time to be given to Denmark to take a step of so grave a nature should be extended.

Her Majesty's Government are of opinion that it might still be possible to submit the Danish question to a Conference, if the two points to serve as a basis for discussion were the integrity of the Danish Monarchy and the fulfilment of the promises made by Denmark in 1851-52. You will ask Count Rechberg whether Austria would agree to accept this basis.

Should a Conference take place Count Rechberg might submit to it for discussion any scheme that he may think proper.

I am, &c.
Signed) RUSSELL.

No. 716.

Earl Russell to Count Wachtmeister.

M. le Comte, *Foreign Office, January* 16, 1864.

I HAVE the honour to acknowledge the receipt of your note of the 13th instant, stating that His Swedish and Norwegian Majesty's Government will accept the proposition of Her Majesty's Government, relative to the presentation of notes to the Austrian and Prussian Governments, and to the German Diet, with reference to

* A similar despatch was addressed to Sir A. Buchanan, with the omission of the concluding sentence.

the present state of affairs in Holstein and Schleswig, provided that the concurrence of all the four Powers shall have been first obtained.

I am, &c.
(Signed) RUSSELL.

No. 717.

Mr. Gordon to Earl Russell.—(*Received January* 17.)

My Lord. *Stuttgardt, January* 14, 1864.

THE French Minister here, Count Damrémont, has received a circular from his Government, dated. January 8, which he had instructions to communicate to the Wurtemberg Government, having reference to the proposal of Her Majesty's Government for a Conference between the Powers who signed the Treaty of London of May 8, 1852, and a Representative of the German Confederation, for the purpose of bringing about a peaceable solution of the Schleswig-Holstein question.

The conclusion of M. Drouyn de Lhuys' circular, of which I have only seen a German translation, is that the French Government would only consent to take part in such a special Conference in the event of the German Diet agreeing to it and obliging itself to accept the decision at which the Powers so represented might arrive. At the same time the circular expresses doubts that the Diet will agree to such a proposal, although the French Government believes they (the Diet) would have no difficulty in taking part in a more general Congress, at which other questions besides that of Schleswig-Holstein would be discussed.

Baron Hügel has, I learn, given to Count Damrémont an evasive reply to this proposal of the French Government and to the demand of the former, as to how the Wurtemberg Representative at the Diet would be instructed in consequence, but my French colleague has informed me that the reply he received appeared to him to be rather unfavourable than otherwise.

I learn that a similar communication has been made at Carlsruhe, and that, as was to be expected from Mr. Baillie's despatch transmitted in my despatch of the 2nd instant, Baron Roggenbach's reply was decidedly adverse to any special Conference, such as that proposed by Her Majesty's Government, whilst he expressed every readiness to vote at the Diet for a more general Congress of the nature advocated by the French Government.

I have, &c.
(Signed) G. J. R. GORDON.

No. 718.

Mr. Gordon to Earl Russell.—(*Received January* 17.)

(Extract.) *Stuttgardt, January* 14, 1864.

I LEARN that in consequence of the Resolutions adopted by the Wurtemberg Lower Chamber on the 8th instant, transmitted to your Lordship in my despatch of that date, this Government has given orders for purchasing 500 horses for the train, and will probably proceed to provide considerable remounts for their cavalry, which is now so weak in horses that, in the event of their being called into active service, I am assured they could only show an effective strength of 300 horses per regiment.

The Baden Government have likewise already given orders for the purchase of 300 horses for their artillery and 100 for cavalry remounts.

No. 719.

Earl Russell to Sir A. Buchanan.

(Extract.) *Foreign Office, January* 17, 1864.

IT appears from the communications which have passed between Her Majesty's Government and the Governments of Austria, Prussia, and Russia, that those Governments as well as that of Her Majesty are determined to make the integrity of the Danish Monarchy and the fulfilment of the engagements taken by Denmark towards German

in 1851-52 the bases of any arrangement of the differences between Germany and Denmark.

I have to instruct your Excellency to ask M. de Bismarck whether the mode of carrying these bases into effect cannot be settled without bloodshed, which would only add to the difficulties of the situation, and might make it impossible to overcome them.

Her Majesty's Government believe that a peaceable arrangement might still be effected, and the sad spectacle of a needless conflict might be spared to Europe, if Austria and Prussia were to consent not to send their troops across the Eider.

Your Excellency will say this to M. de Bismarck.

No. 720.

Mr. Jerningham to Earl Russell.—(Received January 18.)

(Extract.) *Stockholm, January 11, 1864.*

HAVING, in accordance with your Lordship's instructions, furnished Count Manderström with copies of your Lordship's despatches of the 28th and 31st ultimo, which reached me on the night of the 7th instant, I had an interview with his Excellency to-day, when, after expressing his thanks for the communication, he observed with respect to the passage in your despatch of the 31st pronouncing the new Danish Constitution to amount to an incorporation of Schleswig, that he thought it would be very difficult to make out such a case.

I replied that his Excellency had more than once admitted that the said Constitution had a tendency to such incorporation, which I understood to be, in itself, at variance with the engagements of Denmark; when he rejoined that the absolute fact and the mere tendency thereto were very different, while it might be equally maintained that Germany also had not entirely fulfilled her engagements, and that equal justice ought naturally to be dispensed to both parties.

I observed that civil war in Germany appeared to me likely to result in a complete disruption of the Germanic Confederation.

No. 721.

Mr. Jerningham to Earl Russell.—(Received January 18.)

(Extract.) *Stockholm, January 11, 1864.*

WITH reference to your Lordship's telegraphic despatch of the 4th instant, in which it is stated that a request for mediation was to be addressed by the Danish Government on the evening of that day to the Powers who signed the Treaty of London, I have the honour to state that Count Manderström informed me to-day that no such communication had yet arrived here.

No. 722.

Sir A. Paget to Earl Russell.—(Received January 18.)

My Lord, *Copenhagen, January 13, 1864.*

I RECEIVED late last night a telegram from Earl Cowley, stating that the Danish Minister in Paris had informed Lord Wodehouse he had no instructions to let the Danish Missions at Vienna and Berlin know he had communicated to the French Government the proposal of the Danish Government for a Conference, and desiring that I would see that instructions were immediately sent to them to deliver the despatches to the Austrian and Prussian Ministers for Foreign Affairs.

On calling on M. Quaade this morning I found that he had received a telegram from Count Moltke informing him that he had made the communication to the French Government, and he said that orders had been sent, or would be sent immediately, to have the despatches to Count Rechberg and M. de Bismarck delivered to-day.

In answer to my inquiry why Count Moltke had not been instructed to communicate with Danish Missions at Berlin and Vienna, M. Quaade replied that the despatches for the Austrian and Prussian Ministers had not been sent from Copenhagen till two or three days after those for London, Paris, and St. Petersburgh had been forwarded, and that consequently to prevent confusion Count Moltke had been directed to telegraph to Copenhagen when he had fulfilled his instructions, instead of to the Austrian and Prussian capitals.

I have, &c.
(Signed) A. PAGET.

No. 723.

Sir A. Paget to Earl Russell.—(*Received January* 18.)

(Extract.) *Copenhagen, January* 13, 1864.

IN consequence of a letter which I received on the evening of the 10th instant from Sir Andrew Buchanan, in which his Excellency again insists upon the absolute necessity of the repeal of the Constitution of the 18th of November as the only means of preventing the immediate invasion of Schleswig by the Austrian and Prussian troops, I thought it my duty to see M. Quaade, and to speak to him on the subject.

His Excellency gave me the reply for which I was fully prepared, that on agreeing to ask for the mediation of the Powers who signed the Treaty of London, it had been understood by the Danish Government that the *status quo* of the 1st of January of this year was to be maintained until the questions at issue between Denmark and Germany had been decided by those Powers; that the appeal to mediation implied, of course, a disposition on the part of the Danish Government to conform to the decision which should be arrived at; that the only legal channel for repealing the Constitution of the 18th of November was the Rigsraad, but that the Rigsraad could not be assembled without bringing the Constitution into vigour, and thus increasing existing complications.

On leaving M. Quaade I sent a telegram to Sir Andrew Buchanan, in the above sense, and received from him yesterday morning a reply to the effect that Austria and Prussia would not object to the convocation of the Rigsraad for the repeal of the Constitution; that Austria and Prussia reject all proposals for a compromise, saying that the incorporation of Schleswig must be annulled by Denmark, or by the entrance of a German force into that Duchy, and that on no other terms will they go into a Conference, maintaining the Treaty of London against the will of all Germany.

I called upon M. Quaade, and gave him the above information, which I said was very important as showing the views of Austria and Prussia with regard to bringing the Constitution into vigour as very different from what we had every reason to believe them to be, and if these Powers would state that they did not object to the convocation of the Rigsraad in order that the repeal of the Constitution should be submitted to its vote, this would give an opening to the Danish Government, which I could not too strongly advise them to take advantage of; for, whatever turn affairs took, whether the Rigsraad voted the repeal of the Constitution, or refused to do so, the responsibility of the Danish Ministers would be covered. They would have the credit of having endeavoured to carry out the advice of Europe.

M. Quaade appeared to coincide with these views, but he expressed some doubt as to the form in which it would be possible for the Austrian and Prussian Governments, if even they were willing to do so, to give any assurance on this subject which could be taken as sufficiently guaranteeing the Danish Government from the possibility of being afterwards accused of having committed a fresh act of provocation.

His Excellency said that if the proposal of Austria and Prussia was voted by the Diet, the Danish Government might have an opportunity of stating what they were prepared to do on this matter in answer to the summons which would then be addressed to them, but all must depend upon the terms of that summons. If the Danish Government were called upon to revoke the Constitution within a very limited period, it was evident that they could not comply with the demand, as a certain time must elapse before the elections could be made, and they could not be proceeded with while Schleswig was invaded. If, on the contrary, the terms of the summons were to call upon the Danish Government to state within a certain period, whether they would undertake to repeal the Constitution, a satisfactory answer, if it was decided to send one, might be given to this in a few days.

I suggested that as the Austrian and Prussian proposal might possibly not be voted those Governments might be informed of the readiness of the Danish Government to

propose to the Rigsraad to repeal the Constitution if they, in their answer to the Danish proposal for a Conference, would state that they had no objection to this Assembly being convoked for the purpose in question.

M. Quaade requested me to accompany him to Bishop Monrad, but not finding his Excellency at home, he was good enough to call upon me in the evening, when I related to him what had passed between M. Quaade and me, what had given rise to it, and my reasons for thinking that the Danish Government should act as proposed, on the understanding, of course, that the convocation of the Rigsraad was not objected to by the Austrian and Prussian Governments.

Bishop Monrad replied that before taking any fresh steps, he thought it would be better to wait to see what answer was made to the proposal for a Conference, or we might otherwise risk falling into a state of confusion; to which I observed that it was only in consequence of what I had learnt from Her Majesty's Ambassador at Berlin, and with a view to ensuring the assent of Austria and Prussia to a Conference, that I advised him to adopt the course we were now discussing.

His Excellency proceeded to ask what it was in the Constitution which Austria and Prussia objected to. It could not be, he said, to the whole Constitution *en bloc;* if they would specify the particular article to which they objected, there would then be data to go upon.

I replied that Austria and Prussia objected to the Constitution as a whole, because it was in their opinion an incorporation of Schleswig. If, therefore, it could be repealed for Schleswig, it might be maintained as a groundwork for the Kingdom, to be subsequently moulded into the shape which the Conference might give it for the whole Monarchy.

To this the Bishop replied that Schleswig could never be separated in any way from the Kingdom. His Excellency subsequently asked me if, supposing the Constitution of November 18 was repealed, Austria and Prussia would consider a return to the Constitution of 1855 (which, as your Lordship is aware, ceased to exist on the 1st of this month) as an incorporation of Schleswig.

I replied that I imagined not; but that it was a point which could be ascertained if the Danish Government should come to entertain the idea we were speaking of.

No. 724.

Sir A. Paget to Earl Russell.—(*Received January* 18.)

My Lord, *Copenhagen, January* 14, 1864.

M. QUAADE has had the goodness to furnish me with a copy of the despatch which was addressed by his predecessor at the Foreign Department, Bishop Monrad, to M. de Bismarck and Count Rechberg, proposing the mediation of the Powers who signed the Treaty of London on the questions at issue between Denmark and Germany.

I have now the honour to inclose it herewith, together with a translation which has been made of it by Mr. Scott.

I have, &c.

(Signed) A. PAGET.

Inclosure in No. 724.

Bishop Monrad to M. de Bismarck (and Count Rechberg).

(Translation.) *Copenhagen, January* 6, 1864.

THE Undersigned, His Danish Majesty's President of the Council, entrusted *ad interim* with the direction of Foreign Affairs, has the honour, in obedience to the commands of the King his Sovereign, to make the following communication to his Excellency His Prussian Majesty's, &c. (His Imperial Majesty's, &c.)

Since the Duchy of Holstein has been occupied by Federal troops, the German-Danish question has been placed upon a so far more serious footing that each day the danger of a breach of the peace becomes more imminent.

Under these circumstances, His Majesty's Government is convinced that nothing but a mediation of disinterested Powers can afford an effectual means for securing a happy issue to the dispute, and they found their hope of the possibility of an amicable arrangement on the readiness which they think they can perceive on the part of these Powers, and also no less on the part of the Great German Powers.

In so far as the non-German Powers are concerned, this hope has not been disappointed. By the Treaty of London, which has recognized the necessity of the integrity of the Danish Monarchy, the mediation which the Protocol of the 14th of April, 1856, proposes in the interests of European peace has become, under present circumstances, an unavoidable duty. Accordingly, in recognition of this duty, the non-German Powers have already for some time past directed their attention to the opportuneness of an amicable intervention having for its object an agreement upon the present actual state of the case.

His Majesty's Government indulges at the same time in the confident hope that on the part of the German Powers no obstacle will be opposed to the prospect of an amicable solution. Prussia and Austria will be no less inclined than the other Powers to hold fast by those principles which they have themselves expressly recognized, and the Cabinets of Berlin and Vienna can judge as well as His Majesty's Government what serious and incalculable consequences would attend a breach between two neighbouring countries which seem in so many respects to have been destined by nature for a peaceful and mutually beneficial intercourse.

Such are the considerations and views which have guided His Majesty's Government in expressing themselves to those European Powers whose kind mediation must be regarded as especially important; and, while they have been desirous not to delay in bringing them to the knowledge of the Royal Austrian (Prussian) Government, it is with peculiar satisfaction that they venture to presume that the steps taken on their side will be met by similar endeavours on the part of the Prussian (Austrian) Government.

The Undersigned, &c. (Signed) D. G. MONRAD.

No. 725.

Sir A. Paget to Earl Russell.—(*Received January* 18.)

My Lord, *Copenhagen, January* 14, 1864.

I HAVE stated to M. Quaade this morning, in compliance with your Lordship's instructions,* that Her Majesty's Government think that in answer to the summons from the Diet, or from Austria and Prussia, the King of Denmark should declare he will at once convoke the Rigsraad in order to propose the repeal of the Constitution as regards Schleswig.

From his Excellency's reply to this communication, I do not quite despair of the advice of Her Majesty's Government being acted upon, that is, if the terms of the summons, as explained by M. Quaade in our last conversation related in my despatch of yesterday's date, will admit of their doing so; the Danish Government will, I hope, reply that they are ready to take at once the necessary measures for convoking the Rigsraad, and will, when it is assembled, submit to it a proposal for the repeal of the Constitution. But it must be borne in mind, and it is as well to state it at once, that the actual convocation cannot be effected without a certain delay, as the election of Deputies will have to take place throughout the whole country, and I think it very possible that at least a month, if not more, will be required from the time of summoning the Rigsraad before it can come together. If the German troops should invade Schleswig, it will, of course, then be impossible for the elections in that part of the Monarchy to take place.

In short, what is absolutely necessary under present circumstances is, probably, that which neither Austria nor Prussia are willing to allow—a little time; but it is quite evident that, unless it is granted, the Danish Government with even the best intentions is rendered powerless. They cannot repeal the Constitution by a *coup d'état*, and nobody could advise them to attempt it; a certain delay, therefore, is indispensable for them to put the necessary legal machinery in operation for obtaining the end in view. A very short time will be sufficient to ascertain whether they are willing or not to have recourse to it. If they do not, the remedy will be in the hands of the German Powers; if they do, it will surely not be too great a sacrifice to ask of Germany in the name and for the sake of the peace of Europe, that she should refrain from hostilities until the Danish Government has been enabled to give effect to their intentions.

I learn from Sir Andrew Buchanan that he had proposed that a month should be given to Denmark to answer the summons; but this proposal had met with a refusal, but that he had been told that Austria and Prussia would not be able to enter Schleswig until the 1st of February, and that Denmark might repeal the Constitution previous to that date. This, I think, has been shown to be an impossibility; but what might be done, is

* No. 692.

to give Denmark until the 1st of February to evince her intentions on this subject; if before the 1st of February, the Danish Government have commenced the necessary preparatory measures for assembling the Rigsraad with a view to repealing the Constitution, Austria and Prussia to halt upon the Eider; but if, on the contrary, the Danish Government have not taken these measures, or have declared their inability to do so, then the German Powers to recover their liberty of action.

I am unable to see how such an arrangement could be unfavourable to Austria and Prussia. If Austria and Prussia insist upon impossible terms, of course no action which can be brought to bear on Denmark can be of any avail. But if they wish for an amicable arrangement, and prefer Conferences to war, they will reduce their demands within reasonable and obtainable bounds, and there may still be means of preserving the peace of Europe.

With regard to the course which may be followed by Denmark if called upon to decide upon taking measures for repealing the Constitution, I can only say that as far as I am enabled to judge by my conversations with Bishop Monrad and M. Quaade I do not entirely despair, as I said at the beginning of this despatch, of the possibility of bringing the Danish Government ultimately to agree to this course; but this is all I can say, for I should only be misleading Her Majesty's Government if I did not again allude to the excited state of public feeling in Denmark at this moment, and state that it is by no means disposed for any fresh concession to Germany, especially one connected with the Constitution of the 18th of November; and that, I believe, Bishop Monrad will with great difficulty be brought to adopt a policy which is more likely to be repudiated than ratified by the majority of his countrymen.

I have, &c.
(Signed) A. PAGET.

No. 726.

Lord Bloomfield to Earl Russell.—(*Received January* 18.)

(Extract.) *Vienna, January* 14, 1864.

WITH reference to your Lordship's despatch of the 11th instant I have the honour to inform you that I lost no time in stating its substance to Count Rechberg.

I endeavoured to show his Excellency that it would be utterly impossible for the King of Denmark to convoke the Rigsraad and obtain the revocation of the Constitution of November 18 in the short space of time proposed, and that he should consider the dangers that might result to the peace of Europe if, at the expiration of two days after the delivery of the summons, the Austrian and Prussian troops entered Schleswig. I said that Her Majesty's Government were doing everything in their power to obtain for Germany the concessions due to her by Denmark, but that with the best intentions the King could not do more than submit the question of the revocation to the Rigsraad; that Constitutional forms must be adhered to, and that though His Danish Majesty must naturally desire to avoid the serious complications to which he was exposed, he could do no more than urge the matter on the immediate consideration of his Parliament. He was not an absolute Sovereign, and therefore could not revoke the Constitution by his own free will.

Count Rechberg readily admitted the justice of these observations, but said, It will be worse for the King if Austria and Prussia postpone the occupation of Schleswig, as the Diet might then interfere; therefore, if the Constitution could not be repealed, there should be no resistance to the occupation. It was a choice of evils. Austria and Prussia were favourably disposed to facilitate an arrangement between Germany and Denmark, and he hoped that Denmark would consider how much more it would be to her advantage to have the dispute as to Schleswig settled directly with Austria and Prussia rather than with the Diet.

Count Rechberg is extremely anxious as to the result of the vote to be taken to-day at Frankfort, but whatever it is, he seems resolved not to swerve from the course of proceeding in this matter which has been agreed to by the Cabinets of Vienna and Berlin.

No. 727.

Lord Bloomfield to Earl Russell.—(*Received January* 18.)

(Extract.) *Vienna, January* 14, 1864.

I HAVE had the honour to receive your Lordship's despatch of the 6th instant, and also copies of instructions which your Lordship has addressed to Paris, Stockholm, and St. Petersburgh, explaining the nature of the proposal which Her Majesty's Government have made to those Courts for a common action with Her Majesty's Government, with a view to bring about a settlement of the Dano-German question.

M. Due, the Swedish Minister, has just called on me, and read to me an instruction which he had received by telegraph, directing him to confer with the Representatives of England, France, and Russia, as to the time of presenting a note to the Austrian Government in conformity with the suggestions of Her Majesty's Government. The Swedish draft is to all intents and purposes the same as your Lordship's.

I have communicated with the Russian Chargé d'Affaires, who, I find, is without instructions; and your Lordship will, no doubt, be accurately informed of the intentions of the French Government. The Duc de Gramont has not mentioned the subject to me.

No. 728.

Lord Bloomfield to Earl Russell.—(*Received January* 18.)

My Lord, *Vienna, January* 14, 1864.

WITH reference to your Lordship's telegram of the 8th instant,* I have the honour to inform your Lordship that Count Rechberg does not hesitate to declare his adhesion to the principles laid down by the Treaty of London; his words on my putting the question to him were, "Nous nous tenons sur le terrain du Traité de Londres;" but, he added, war puts an end to all Treaties, and if Denmark did not revoke that part of the Constitution of November 18, which applied to Schleswig, he could not answer for the consequences of her refusal.

With regard to the second point in your Lordship's telegram, that full security should be taken for the good government of the German subjects of the King of Denmark in Holstein, Lauenburg, and Schleswig, his Excellency said the fulfilment of the engagements of 1851 and 1852, was the condition demanded, but that some very different security must be obtained from Denmark than the last given, for no sooner had the Austrian and Prussian troops retired than new and evasive objections were being perpetually raised to the due execution of her engagements, and hence had arisen the present difficulties.

We had some conversation on the projected invasion of Schleswig, a word to which Count Rechberg however always objects, for he will not admit that the occupation is intended in a hostile sense; for he considers it calculated to advance the interests of Denmark, especially as regards her possession of Schleswig, and he therefore wishes it to be explained to Her Majesty's Government that if the German Confederation assumed the direction of the affair, the Prince of Augustenburg would as assuredly be at once proclaimed in Schleswig as he has been in Holstein: whereas, if Austrian and Prussian troops, acting under Field-Marshal Baron Wrangel, occupied the Duchy, the Prince would not be allowed to put his foot there. Austria and Prussia, he added, would incur the greatest unpopularity in Germany by this proceeding, but irregular as it might appear, they hoped Her Majesty's Government would understand the difficulties of their position and believe that the course to be pursued by them was the one best calculated to prevent more serious complications.

He trusted the Danish Government, after the due communication of a summons calling for the revocation of the Constitution as affecting Schleswig is made, will see the necessity of coming to a settlement of the question and will not offer resistance to the Austrian and Prussian troops.

I have the honour to inclose the copy of a memorandum which I left with Count Rechberg, containing a statement of the two points proposed by Her Majesty's Government as bases for any Conferences that may be held on the affairs of Germany and Denmark.

I have, &c.
(Signed) BLOOMFIELD.

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* For substance, see No. 641.

Inclosure in No. 728.

Memorandum.

WILL the Imperial Government consent to take the following two points as bases for any Conferences that may be held on the affairs of Germany and Denmark?

1st. That the Treaty of London should be maintained.

2ndly. That full security shall be taken for the good government of the German subjects of the King of Denmark in Holstein, Lauenburg, and Schleswig.

Vienna, January 9, 1864.

No. 729.

Lord Bloomfield to Earl Russell.—(Received January 18.)

My Lord, *Vienna, January* 14, 1864.

I HAVE the honour to forward herewith, in translation, by Mr. Mounsey, an interpellation addressed by Messrs. Mühlfeld, Giskra, and other members of the Lower House of the Reichsrath to the Government, demanding an explanation of the policy they intend to pursue in the Schleswig-Holstein question.

The interpellation, consisting of four distinct questions, has not yet received any reply from the Government.

I have, &c.
(Signed). BLOOMFIELD.

Inclosure in No. 729.

Interpellation put by MM. Mühlfeld and others in the Lower House of the Reichsrath, on the Austrian policy in the Schleswig-Holstein Question.

(Translation.)

IN view of the difference which exists between the policy of the German Diet, as shown by a majority of that Assembly composed of the Representatives of the smaller States, and that of the Great German Powers, Austria and Prussia, with reference to the Schleswig-Holstein question; and considering that the views on the above-mentioned question entertained by the majority of the smaller States and by the German Diet in its decision are in accordance with the wishes and feelings as well as with the rights and honour of the German nation, and that on the other hand the policy and objects of the Austrian and Prussian Governments are in opposition to the national feeling and its demands, and apprehending that a further development of the existing contradiction between the decision of the German Diet and the policy at present pursued by Austria and Prussia in this serious and important question may lead to the dissolution of the German Confederation, the only historical bond by which the union of Germany's Princes and people is at present maintained, and even induce a civil war in Germany,—the undersigned address the following urgent demands to the Minister for Foreign Affairs:

1. Is the policy hitherto pursued by the Austrian Government in concert with that of Prussia on the Schleswig-Holstein question merely the result of advice given by the Minister for Foreign Affairs, or does the whole Cabinet take on itself the responsibility of this advice?

2. In case the Diet should take further decisions in opposition to the views and proceedings of the Austrian and Prussian Governments in this question, does the Government intend to execute the same, even if the Prussian Government should refuse to do so? Or

3. Will the Government in such case refuse to execute them, even at the risk of thereby bringing about the dissolution of the German Confederation and a civil war in Germany? And

4. What is to be the extent and direction of this agreement between the Austrian and Prussian Governments on the Schleswig-Holstein question?

Vienna, January 11, 1864.

(Signed) MÜHLFELD.
BRINZ.
Dr. GISKRA.
Dr. BERGER.
(And 22 others.)

No. 730.

Lord Bloomfield to Earl Russell.—(*Received January* 18.)

My Lord, *Vienna, January* 14, 1864.

AT an interview which I had yesterday with Count Rechberg I read to his Excellency your Lordship's despatch of the 9th instant, and gave him a copy of it in conformity with your Lordship's instructions.

Count Rechberg said that his opinion was unchanged as to the advantage of an early meeting of a Conference to consider the Dano-German difficulty, but that as it was most desirable that a Representative of the German Confederation should attend it, he feare should never arrive at any result if it were sought to establish particular points as the bases of a Conference, and there was no doubt that the Confederation would steadily refuse to treat on the basis of the Treaty of London. The opinions of the great majority of that Body were well known to Her Majesty's Government, and as it was not to be expected that they would send a Representative to a Conference summoned to consider the provisions of a Treaty which they did not acknowledge, he thought, as I have already informed your Lordship by telegraph, that it would be useless to attempt to specify the points for discussion at the proposed Conference. He therefore suggested that with a view to ensure the presence of a Representative of the Diet the invitation should be drawn up in general terms, omitting the specification of any bases whatever, simply stating that a Conference was desired in order to regulate the international question which had arisen out of the Dano-German difficulty, and to bring about a pacific solution of the same.

By some such communication Count Rechberg hopes that a Representative of the Confederation might be brought to attend the Conference, and he thinks it essential that the Diet should not decline the invitation.

I shall return to this subject on the occasion of my next interview with Count Rechberg.

I have, &c.
(Signed) BLOOMFIELD.

No. 731.

Sir H. Howard to Earl Russell.—(*Received January* 18.)

My Lord, *Hanover, January* 14, 1864.

I HAVE the honour to inclose a translation of an instruction addressed on the 12th instant by Baron Hammerstein, the Minister of the Interior, to the Administrative and Police authorities of the kingdom, and published in yesterday's "Hanoverian Gazette," stating that, in view of the Royal Ordinance of the 7th August, 1854, promulgating the Resolution of the Diet of the 13th of July of that year, the Government cannot permit the various Associations and Committees which have been formed in this kingdom for the assistance or defence of the rights of the Duchies of Schleswig-Holstein to maintain a connection with the Committee of members of German Parliaments sitting at Frankfort-on-the-Main, or with the Associations and Committees formed in this country with a similar object, and directing that all existing Associations, &c., which shall not, on receiving a summons to that effect, immediately give up such a connection, shall be suppressed, and that a similar course shall be adopted in respect to any new Associations which may be shown to entertain such connections.

The instructions further provide that, in order to prevent unlawful Associations from being formed, the provisions of the existing laws, according to which notice is to be given to the authorities in respect to such Associations, shall be strictly enforced.

It can only be a matter of surprise that the Hanoverian Government should not long ago have applied the existing laws to the Schleswig-Holstein Associations and Committees, considering that they have always so strictly enforced them against other political Societies.

I have, &c.
(Signed) HENRY F. HOWARD.

Inclosure in No. 731.

Circular to the Magistracy and Police Authorities of the Kingdom.

(Translation.) *Hanover, January* 12, 1864.

AS alien as it must be to the intentions of His Majesty's Government to throw any obstacle in the way of the patriotic sympathy evinced for the fate of the Duchies contiguous to the Elbe, one so perfectly intelligible in itself, and prompted by such generous motives, so much the greater store must His Majesty's Government set upon that sympathy confining itself within legal limits. Apart from the obligation under which the Government lies to the country not to allow the sympathy in question to overstep the law, illegality could not fail to compromise the successful issue of the affair.

On these grounds His Majesty's Government cannot permit the various Associations, Committees, and Sub-Committees established throughout the country for the support or defence of the rights of the Duchies of Schleswig-Holstein, or for the collection of subscriptions for Schleswig-Holstein, to act in connection with the Frankfort Committee of members of the German Representative Assemblies, or with other Associations, Committees, and Sub-Committees formed for similar objects in this country.

Paragraph 4 of the Federal Resolution of July 13, 1854, promulgated by the Ordinance of August 7, 1854, forbids any connection between political and other Associations, and this prohibitive law must be conformed to in the case of the political Associations above mentioned.

Whilst it follows, as a matter of course, that Associations of the nature of those alluded to, which up to the present time have confined their action to their own bodies, are not to be molested in their sphere of action, and that those also which, in pursuance of the present order, unreservedly abandon the connection which they have already established with other Associations, are to be allowed to continue to exist, on the other hand, those which maintain that connection in disregard of the present intimation of the legal prohibition with regard to it, are no longer to be tolerated.

The Magistrates and police authorities are hereby directed to suppress all Associations, Committees, and Sub-Committees acting in opposition to the Regulation in question, unless, in obedience to the summons addressed to them, they at once relinquish the said connection; and the same treatment is to be adopted in regard to Associations, &c., which may be formed hereafter, whenever there shall be evidence of the existence of similar connections.

Meetings and publications of such Associations, &c., as have been suppressed, are no longer to be permitted, and in addition to this henceforth all infractions are to be punished. To prevent for the future the formation of prohibited Associations, strict attention must be paid to the due observance of the Regulations with respect to notice being given for the establishment of Associations, as prescribed by the Ministerial Notifications of 25th of August, 1854, and 21st December, 1857.

Royal Hanoverian Ministry of the Interior,

(Signed) W. BON. VON HAMMERSTEIN.

No. 732.

Sir H. Howard to Earl Russell.—(*Received January* 18.)

My Lord, *Hanover, January* 16, 1864.

YOUR Lordship will be aware that Hanover voted, in the sitting of the Diet of the 14th instant, against the Austro-Prussian proposal to summon the Danish Government to withdraw the Common Constitution for Denmark and Schleswig of the 18th of November last, and to declare to them at the same time that in case of a refusal the Diet would proceed to occupy Schleswig as a pledge for the fulfilment of its just demands.

In a conversation which I had with Count Platen to-day, he stated to me that the Hanoverian vote would have told equally against the more indefinite proposal of Hesse-Darmstadt for the occupation of Schleswig, and it was probably for this reason that the latter was not brought forward. His Excellency further observed, that Hanover had not joined in the protest entered by Bavaria, Saxony, and other States against the declaration made by Austria and Prussia on the rejection of their proposal that they would now take the matter into their own hands. His Excellency understands this declaration only to apply to the question of the occupation of Schleswig, and not to affect that of Holstein, and conceives that the Federal Execution in the latter Duchy will remain as heretofore.

He does not therefore consider that there can be a question of the withdrawal of the Hanoverian troops. I have reason to believe that such a withdrawal would be a great source of embarrassment to this Government, on account of the commotion which it would produce in this country.

Count Platen further informed me that the Hanoverian Government had already given their consent to the passage through the Hanoverian territory from Minden of the Prussian troops destined for the eventual occupation of Schleswig. His Excellency does not know the exact number of the troops coming from Minden, but he believes it to amount to 15,000. The passage is announced to take place between the 19th and 24th instants. His Excellency is not acquainted with the details of the Austro-Prussian ultimatum to Denmark, but believes it to have been already despatched to Copenhagen.

I have, &c.
(Signed) HENRY F. HOWARD.

No. 733.

Sir A. Malet to Earl Russell.—(*Received January* 18.)

(Extract.) *Frankfort, January* 15, 1864.

I HAVE, in obedience to your Lordship's instructions, been able to get copies of the propositions of Austria and Prussia for taking Schleswig in pledge made in the sittings of the Diet of the 28th December and the 14th instant.

Mr. Mitford has made translations of both documents, which I have also the honour to annex.

Inclosure 1 in No. 733.

Motion of Austria and Prussia for the Preservation of the Rights of the Germanic Confederation as regards Schleswig.

(In the 44th Sitting of the Year 1863.)

(Translation.)

THE High Diet has already declared, by its Resolution of the 9th July of this year, that the Royal Danish Government have, by their Proclamation of the 30th March, acted in opposition to the engagements entered into by them, neither to incorporate the Duchy of Schleswig in the actual Kingdom of Denmark, nor to take any steps towards effecting that purpose. In case Denmark should persist in this violation of right, the Diet has reserved to itself the employing of all means calculated to maintain the rights of the Confederation as regards Schleswig—rights derived from international sources.

The Court of Copenhagen has, it is true, annulled the above-mentioned Decree. But this only took place after its object had been attained, and a new Fundamental Law had been passed for Denmark and Schleswig which is fully equivalent to an incorporation of that Duchy into the Kingdom. This Fundamental Law has (notwithstanding the urgent protests of the German Powers) received the Royal sanction on the 18th November; an Electoral Law in the same sense has just been proclaimed in Schleswig, and the 1st of January, 1864, has been fixed as the date from which the new Constitution is to take effect.

In the opinion of the Governments of Austria and Prussia, this illegal proceeding of the Royal Danish Government forces the Confederation, in accordance with the above alluded to reservation, to employ all the means at its disposal to secure the rights which, as regards the Crown of Denmark, are internationally its due, with respect to Schleswig.

Prussia and Austria accordingly make the following motion:—

That the High Diet address a demand to the Danish Government requiring that the Fundamental Law of the 18th of November as regards the Duchy of Schleswig should not be carried into execution, but, on the contrary, be definitively repealed; that with this demand should be coupled the declaration that, in the event of a refusal, they should, from a sense of their rights and their dignity, feel constrained to take the necessary measures for a military occupation of the Duchy of Schleswig, in order to secure to themselves a pledge for the fulfilment of their just demands.

It is understood that the acceptance of the present motion would imply no change as regards the effect of the reserved proviso of a judicial inquiry into the question of Succession, contained in the Dietal Resolution of the 7th December.

The Austrian and Prussian Minister have, in conclusion, to move:—

That the High Diet instruct the Military Commission to propose the necessary measures to this end, so that the forces to be put at the disposal of the Diet for the eventual occupation may be placed on the requisite strength.

Inclosure 2 in No. 733.

Renewed and urgent Motion of Austria and Prussia for the Maintenance of the Rights of the Confederation as regards Schleswig.

(Translation.)

SINCE the Envoys, in the 44th sitting of the Diet of the 28th December last, brought forward a motion for the maintenance of the rights of the Germanic Confederation as regards Schleswig, with the beginning of the current year has come the time from which the new Law on the Constitution is to take effect, which, in violation of the above rights, incorporates Schleswig into the actual Kingdom of Denmark.

The Danish Government have not taken a step to obviate such an infraction of rights. The Ministers have, therefore, been instructed by their Governments again urgently to bring forward this motion, including the following measure: that the Danish Government be invited to abrogate the Constitution of December within as short a time as possible. They have further to recommend that a decision be come to in to-day's sitting, or at any rate in a future sitting appointed for as early a date as possible.

From the pressing nature of the reasons which call for the undelayed maintenance of the rights of the Confederation as regards Schleswig, and as these two Governments by the mouth of their Envoys have expressed themselves agreed on the subject to their German confederates, directly after the bringing forward the motion of the 28th December, the Envoys think that they can confidently reckon on their proposal of to-day being accepted without anticipating having to wait for the opinion of the Committee.

No. 734.

Sir A. Malet to Earl Russell.—(Received January 18.)

(Extract.) *Frankfort, January 15, 1864.*

IN the vote on the joint Austrian and Prussian proposition for seizing Schleswig as a pledge for the Execution of the Danish engagements of 1851-52, the two Great Powers were supported, as I am informed, by the votes of Lichtenstein, of Reuss, of the two Lippes, Waldeck and Hesse-Homburg. Luxemburg abstained from voting, so that the actual division, in the absence of a Danish Minister for Holstein, was eleven to five.

I learn that on the declaration of the resolution of the two Powers to carry out this resolution, in spite of the adverse vote, the Assembly was for a time in a state of violent consternation.

The Bavarian Envoy, as my information goes, was the first who spoke in grave protest against the contemplated violation of the Diet's Constitution. The Saxon Minister followed and, as I am told, expressed himself even more strongly, and said that neither Austrian nor Prussian troops could reach Schleswig by any other route than through Holstein. That Duchy, his Excellency is stated to have said, is Federal territory, and is at present occupied by Federal troops, and Schleswig can only be entered in the mode proposed over their bodies.

The event is one of the most serious importance, and the declaration of Austria and Prussia is undoubtedly a violation of the Diet's Constitution.

It seems however to be a natural, indeed necessary consequence, of the coalition formed by the minor States on this Danish question.

The danger of the passage of the Eider is great, in whatever sense it is looked at, but it is much less serious that it should be undertaken by Austria and Prussia, on the basis of enforcing the arrangements of 1851-52, and in connexion with the Treaty of London, than that it should be effected, as the minor States desire, in conformity with the proposition of Hesse-Darmstadt, which would be a pure taking possession on the presumption of the indissoluble right of union of Schleswig with Holstein.

The outcry and bitterness of the secondary States will be loud and intense. They at once cry out, the Diet is dissolved. They cannot, however, offer actual resistance to the determined and concurrent action of Austria and Prussia.

No. 735.

Sir A. Malet to Earl Russell.—(*Received January* 18.)

(Extract.) *Frankfort, January* 16, 1864.

M. DE FENELON informed me on Thursday evening the 15th, that he had received a letter from M. Drouyn de Lhuys acquainting him that he had just got a telegram from M. de Dotézac from Copenhagen, informing him that the Danish Government had made, or were about to make, a formal demand for the mediation of France and England for the purpose of settling the dispute with Germany. M. de Fénélon told me that this letter confined itself to the bare fact without detail or comment.

No. 736.

Sir A. Malet to Earl Russell.—(*Received January* 18.)

My Lord, *Frankfort, January* 16, 1864.

THE declaration of independent action of the two Great Powers in the Diet's sitting on the 14th instant is very likely to create a sort of paralysis in that Body, till it is seen what may be the result of the step of occupying Schleswig, menaced by Austria and Prussia.

There will not, I apprehend, be any attempt made for the present to present reports either on the Succession question or on the proposition of Conferences as already made by your Lordship.

Indeed, the information I gave your Lordship in my despatch of the 11th instant, that any report on the latter subject must be dependent on a previous vote on the validity of the Treaty of London is only confirmed by all I have subsequently heard.

At the same time, I think it right to acquaint your Lordship that the scheme for a division of Schleswig, as it was suggested in 1851-52 by Her Majesty's Government, is often reverted to here in terms that would lead to the belief that if the union of the Southern part of that Duchy with Holstein could be brought about, one of the chief aims of German agitation would be gained.

I have, &c.
(Signed) A. MALET.

No. 737.

Sir A. Buchanan to Earl Russell.—(*Received January* 18.)

My Lord, *Berlin, January* 16, 1864.

I HAD the honour to receive late last night your Lordship's despatch of 13th, stating the basis which Her Majesty's Government have proposed for any Confere to be held on the differences between Germany and Denmark with a view to the pacific tlement of these differences, and in conformity with the instructions therein conveyed to me I have given a copy of your Lordship's despatch to M. de Bismarck.

I have, &c.
(Signed) ANDREW BUCHANAN.

No. 738.

Sir A. Buchanan to Earl Russell.—(*Received January* 18.)

(Extract.) *Berlin, January* 16, 1864.

ALTHOUGH the Prussian Government have answered to all inquiries until this morning, that the summons to Denmark was ready but had not been despatched, I find to-day that my impression was correct, that it was forwarded to Copenhagen three days ago. A final telegraphic instruction, however, to deliver it was only despatched last night or this morning. The summons is peremptory and demands an answer, M. de Bismarck said this morning, in twenty-four hours, but the general impression in the town is that forty-eight will be allowed.

He said that Prince Gortchakoff had spoken to Count Redern of the impossibility of

the Danish Government giving a satisfactory answer in so short a time, and that he had instructed Count Redern to explain to his Excellency that it had been necessary to give the summons a peremptory character in order to satisfy Germany, or rather, his Excellency might have said, to enable Austrian and Prussian troops to enter Holstein without delay, but that a fortnight would elapse before the force to be employed could pass the Eider. I replied that a fortnight would not suffice to enable the Danish Government to repeal the Constitution by legal and constitutional means, and that he was himself responsible for this state of things, as he had allowed both Lord Wodehouse and M. de Quaade to go to Copenhagen with an impression, derived from his own language to them, that if writs were issued for the election of a Risgaard under the new Constitution, the King would repudiate the Treaty of London.

No. 739.

Sir A. Buchanan to Earl Russell.—(*Received January* 18.)

(Extract.) *Berlin, January* 16, 1864.

SINCE I forwarded to your Lordship Mr. Grosvenor's report of his mission to Holstein and Schleswig, he has told me in answer to my inquiries, that he had letters of introduction to M. Samwer and Count Reventlow, and that he received letters from them to the persons whose acquaintance he made in the towns through which he passed.

I have thought it right to acquaint your Lordship with the sources of the information which he describes as having been received from merchants and members of the middle class in the towns, as the unanimity of their opinions might be accounted for.

No. 740.

Sir A. Buchanan to Earl Russell.—(*Received January* 18.)

(Extract.) *Berlin, January* 16, 1864.

THE Russian Minister mentioned to me to-day that he believes a messenger is now on his way from St. Petersburgh, who will probably bring him instructions with reference to the proposals for a Conference on the Danish question contained in your Lordship's despatch of the 6th instant.

With reference to this subject, I may mention here that M. de Bismarck said the proposal of Denmark being for a mediation, and not for a conference, was not what he expected; and I replied that the Danish Government could only invite other Powers to mediate in their differences with Germany, but I believed there could be no objection or difficulty on their part to give to the proposed mediation the form and character of such a Conference as had been recommended by Her Majesty's Government.

No. 741.

*Earl Russell to Earl Cowley.**

My Lord, *Foreign Office, January* 18, 1864.

IN 1852, Austria, France, Great Britain, Prussia, Russia, and Sweden, animated by a desire to secure the peace of Europe, and believing that the maintenance of the Danish Monarchy in its existing entirety would be conducive to that end, entered into a Treaty, the object of which was that, on the death of the late King, the Danish Monarchy, comprising all the States which had been under the sway of the Danish Crown, should continue so to be under the rule of the present King Christian IX.

That Treaty, to which many States which had not been originally Contracting Parties afterwards formally acceded, has continued ever since that time to be part of the Public Law of Europe.

Her Majesty continues faithful to the engagements she then contracted, and Her Majesty's Government adhere to the policy which dictated that important Treaty.

There are, however, many circumstances which indicate that in some parts of Germany, especially among the smaller States, and Her Majesty's Government regret to say even in some of the States which acceded to that Treaty, there appears to exist an

* Similar despatches were addressed to Lord Napier, Mr. Jerningham, Lord Bloomfield, and Sir A. Buchanan.

intention forcibly to set aside the provisions of that Treaty. It appears to Her Majesty's Government that all the reasons which, in 1852, after a negotiation of some length, led the above-mentioned Powers and States to conclude and to accede to the above-mentioned Treaty subsist in full force, and it is the opinion of Her Majesty's Government that a proper regard for well-understood interests requires that the Treaty of 1852 and the integrity of the Danish Monarchy should be maintained.

For this purpose, however, concert and co-operation on the part of the Contracting Powers must be necessary, and Her Majesty's Government therefore wish to know whether the Government of France would concert and co-operate with the Governments of Great Britain, of Austria, of Prussia, of Russia, and of Sweden, for the purpose of maintaining the engagements of the Treaty of May 1852, and especially of upholding the integrity of the Danish Monarchy.

A similar application has been made by Her Majesty's Government to the Governments of Austria, of Prussia, of Russia, and of Sweden.

I am, &c.
(Signed) RUSSELL.

No. 742.

*Earl Russell to Earl Cowley.**

My Lord, *Foreign Office, January* 18, 1864.

YOUR Excellency will request the Government to which you are accredited to urge on the King of Denmark the convocation of the Rigsraad, for the purpose of repealing that part of the Constitution of the 18th November last which has reference to Schleswig.

Instructions in this sense have already been addressed to Her Majesty's Minister at Copenhagen.

I am, &c.
(Signed) RUSSELL.

No. 743.

Earl Russell to Lord Bloomfield.†

My Lord, *Foreign Office, January* 18, 1864.

YOU are instructed to represent in the strongest terms to Count Rechberg, and, if you should have an opportunity of doing so, to the Emperor, the extreme injustice and danger of the principle and practice of taking possession of the territory of a State as what is called a material guarantee for the obtainment of certain international demands, instead of pressing those demands by the usual method of negotiation. Such a practice is fatal to peace and destructive of the independence of States.

It is destructive of peace because it is an act of war, and if resistance takes place it is the beginning of war. But war so begun may not be confined within the narrow limits of its early commencement, as was proved in 1853 when the occupation of the Danubian Principalities by Russia as a material guarantee proved the direct cause of the Crimean war.

Such a practice is most injurious to the independence and integrity of the States to which it is applied, because a territory so occupied can scarcely be left by the occupying force in the same state in which it was when the occupation took place.

But, moreover, such a practice may recoil upon those who adopt it, and in the ever-varying course of events it may be most inconveniently applied to those who, having set the example, had flattered themselves that it never could be applied to them.

I am, &c.
(Signed) RUSSELL.

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* Similar despatches were addressed to Lord Napier and Mr. Jerningham.
† A similar despatch was addressed to Sir A. Buchanan.

No. 744.

Earl Russell to Lord Bloomfield.

(Extract.) *Foreign Office, January* 18, 1864.

I TRANSMIT to your Excellency herewith a draft of note which you will address to the Austrian Minister for Foreign Affairs.

Inclosure in No. 744.

Draft of Note.

HER Majesty's Government having been informed that the Governments of Austria and Prussia have addressed a threatening summons to Denmark, the Undersigned has been instructed to ask for a formal declaration on the part of the Austrian Government that it adheres to the principle of the integrity of the Danish Monarchy.

No. 745.

Earl Russell to Sir A. Paget.

Sir, *Foreign Office, January* 18, 1864.

YOU are instructed to state to the Danish Government that the Government of Her Majesty abides by the Treaty of May 1852, and is most anxious to maintain the integrity of the Danish Monarchy; that Her Majesty's Government are now engaged in negotiations for the attainment of that object, and trust that their efforts will be successful.

But Her Majesty's Government are met at every step with the assertion that Denmark has broken her engagements to Germany by establishing in November last that Constitution for Denmark and Schleswig which is alleged to be a virtual incorporation of Schleswig with Denmark, in violation of the engagement taken by Denmark towards Germany in 1851-52, that Schleswig should not be incorporated with Denmark, and that nothing should be done having a tendency so to incorporate it.

Her Majesty's Government are unable to deny or to refute those assertions, and this state of things adds greatly to the difficulty of their exertions in the cause of Denmark.

Her Majesty's Government therefore earnestly entreat the Danish Government to lose no time in putting Denmark in the right in this respect, by revoking so much of the Constitution of November last as makes it applicable to the Duchy of Schleswig, and for this purpose the Rigsraad should immediately be called together.

This would be no concession by Denmark to Germany, for it would only be an honourable fulfilment of an engagement which cannot be denied, but which, inadvertently no doubt, has been broken.

If this were done, and speedily, Her Majesty's Government would stand upon much clearer and firmer ground than at present, as the friends and supporters of Denmark.

I am, &c.
(Signed) RUSSELL.

No. 746.

Earl Russell to Sir A. Paget.

Sir, *Foreign Office, January* 18, 1864.

I HAVE to acquaint you that I am informed by Lord Cowley that the French Government will instruct their Representative at Copenhagen to urge the King of Denmark to convoke the Rigsraad with a view to the repeal of that part of the Constitution of the 18th of November, which applies to the Duchy of Schleswig.

The Russian Minister at Copenhagen, it appears by a telegram from Lord Napier, has received similar instructions.

I am, &c.
(Signed) RUSSELL.

No. 747.

Earl Russell to Sir A. Paget.

Sir, *Foreign Office, January* 18, 1864.

FROM reports which have reached Her Majesty's Government, it appears that the Austrian and Prussian troops will hardly be able to enter Schleswig before the 1st of February. Such being the case, I have to instruct you to make the best use of the interval which must elapse before a step of so hostile a character to Denmark can be taken in endeavouring by every means to promote the interests of peace. You will, however, take care not to interfere with any military preparations which the Danish Government may be making.

I am, &c.
(Signed) RUSSELL.

No. 748.

Lord Bloomfield to Earl Russell.—(Received January 19.)

My Lord, *Vienna, January* 16, 1864.

I HAVE the honour to inclose in translation by Mr. Barrington, an article which appeared last night in the "Vienna Gazette," on the decision of Austria and Prussia to take the management of the affairs of Schleswig into their own hands, and thus prevent the interference of the German Diet in an international and European question beyond its competency.

I have, &c.
(Signed) BLOOMFIELD.

Inclosure in No. 748.

Extract from the Vienna "Evening Gazette" of January 15, 1864.

(Translation.)

IN its sitting of yesterday the Diet rejected the Austro-Prussian proposal with regard to Schleswig.

This result was to be foreseen after the agitation which, brought on by the German-Danish dispute since the death of Frederick VII, has spread over the central and small states of Germany.

The two great German Powers in bringing before the Diet the proposal for the occupation of Schleswig in order to prevent the incorporation, in disregard of Treaty, of that country into Denmark, did so with the patriotic view of including the whole Confederation in the honour of rising in the defence of acquired rights.

The majority at the Diet has declined participating in this honour.

The two principal Powers of Germany, for the preservation of German interest it is true, concluded in 1851 that agreement with Denmark upon which the only incontestable right is based of requiring of Denmark the revocation of measures and laws affecting a country outside the territory of the Confederation.

What the Diet refuses to do upon this basis, which though simple is secured by an International Act, Austria and Prussia, in their double capacity as parties to the Agreement of 1851 and as European Powers, and in the higher interests of Germany, will take into their own hands. It is their duty, and they are entitled to do this in both capacities, after yesterday's vote at the Diet, which has refused the wished-for participation of the other Confederate States, and no other German State, in its quality of Member of the Confederation, has this right and duty.

We have read and heard that the idea is being spread of attempting independently and to the exclusion of the two Great Powers a step which, similar in form, would essentially have the effect of carrying out the resolutions of the majority of the Diet, *contra jus in thesi*, even to the extent of seizing foreign territory.

Safeguard and protector of the integrity of Germany, Austria and Prussia cannot allow the German Confederation to be led away along a path in which they perceive the greatest dangers for Germany.

The proposal to occupy Schleswig in actual favour of the Duke of Augustenburg contains in itself a transgression even of the territorial limits of the legal power of the

Diet, which, by its constitution, must preserve an essentially defensive character. Whoever is capable of rising above the passions of the day will scarcely be able to discover a complete spirit of loyalty in such a proceeding.

The element so necessary to the maintenance of European peace, the German Confederation, would then enter upon a path of aggression, of disregard of territorial limits.

The consequences of such a proceeding will not escape the notice of the Governments of the central and small States of Germany. As true guardians of the integrity and highest interests of Germany, therefore, the two great German Powers must take the settlement of the relations of Schleswig to Denmark into their own hands.

No. 749.

Earl Cowley to Earl Russell.—(Received January 18.)

My Lord, *Paris, January* 18, 1863.

ON the receipt of your Lordship's telegram of yesterday, desiring me to ask the French Government to urge the King of Denmark to call the Rigsraad together to repeal that part of the November Constitution which regards Schleswig, I wrote to M. Drouyn de Lhuys stating the desire of Her Majesty's Government; and his Excellency almost immediately informed me that he had no objection to take the step indicated by your Lordship.

I have, &c.
(Signed) COWLEY.

No. 750.

Earl Cowley to Earl Russell.—(Received January 19.)

My Lord, *Paris, January* 18, 1864.

I HAD the honour to inform your Lordship in my despatch of the 15th instant that I had written to M. Drouyn de Lhuys to request him to answer your Lordship's despatch of the 5th instant.

I met his Excellency on the following evening, and had a short conversation with him. He apologised for not having noticed your Lordship's despatch sooner, observing that he had explained himself so fully to me that he had not thought it necessary to do more. He would, however, reply without further loss of time.

The intelligence that the Austrian and Prussian Governments had fixed a delay of forty-eight hours for the abrogation of the Constitution of November last, in so far as it regarded Schleswig, after which they would proceed to take possession of that Duchy, had just reached me, and I asked M. Drouyn de Lhuys what he thought of this declaration.

His Excellency blamed it in severe terms, and I have since ascertained that he has addressed despatches to Vienna, Berlin and Frankfort expressive of this opinion.

M. Drouyn de Lhuys informed me, also, on this occasion that he had written to the French Representatives at the two Courts and at the Diet in the sense indicated in my despatch of the 14th instant.*

I am, &c.
(Signed) COWLEY.

No. 751.

Sir A. Buchanan to Earl Russell.—(Received January 20.)

(Extract.) *Berlin, January* 17, 1864.

SIR AUGUSTUS PAGET having inquired by telegraph yesterday whether I was quite certain that there would be no objection on the part of Austria and Prussia to the convocation of a new Rigsraad, under the Constitution of November 1863, for the purpose of repealing that Constitution as far as it relates to Schleswig, I answered that he might feel assured that there was no mistake in the statement which I had made to him on the subject.

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* No. 700.

No. 752.

Sir A. Buchanan to Earl Russell.—(Received January 20.)

My Lord, *Berlin, January 17, 1864.*

THE Committee of the Chamber of Deputies on the loan proposed by Government met last night and adopted unanimously a resolution of M. Schulze-Delisch, which, after some amendments, runs as follows :—

Considering :

1. That Prussia, in concert with Austria, has declared to the German Diet that notwithstanding the Federal Decree of the 14th of January, she will carry into effect the occupation of Schleswig as an European Power.

2. That the Government, by such a proceeding, separates Prussia *de facto* from the German Diet at a moment when a majority of the Governments of Germany are endeavouring to guarantee the rights and interests of Germany.

3. That the Government, in treating this purely German question as an European one, will give occasion to foreign intervention.

4. That the threat of this violence provokes the legitimate resistance of other German States, and therefore civil war in Germany.

The Chamber of Representatives protests solemnly against this proceeding of the Government, and declares that it will oppose it by all the legal means at its disposal.

After some discussion as to whether this resolution should be brought before the House during the debate on the loan, the Committee adjourned without coming to a decision.

I have, &c.
(Signed) ANDREW BUCHANAN.

No. 753.

Mr. Murray to Earl Russell.—(Received January 20.)

(Extract.) *Dresden, January 18, 1864.*

IN obedience to your Lordship's instructions, contained in your despatch of January 9, I called on M. de Beust on Saturday the 16th, and communicated to him verbally the substance of its contents, His Excellency informed me that he had received shortly before from Count Vitzthum a despatch reporting a conversation in which your Lordship had made to him observations the tenor of which was of a similar nature, and he added, that he could not better convey to me the substance of his reply to my observations than he had already done in a despatch addressed to Count Vizthum on the 12th instant. As that reply must have been ere this communicated to your Lordship and tallies precisely with the language held to me by the Saxon Minister, I will not trouble your Lordship with a repetition of it.

His Excellency at the same time expressed to me his regret that my despatch to him dated January 5, and his reply dated also January 5, should have found their way into the German newspapers without any knowledge or permission of his. He informed me that he had communicated them confidentially to several of the German Courts, but he had never authorized their publication. His Excellency added that he had already offered this explanation to your Lordship through Count Vitzthum. As the despatch of M. de Beust, above referred to, was one which I had before designated to your Lordship as being in my opinion discourteous in its tone, and which certainly seemed to require some answer, I told his Excellency that now that those two despatches had been published in various newspapers, I thought it advisable that my reply to his Excellency dated January 8, and his explanatory despatch of January 10, should be published likewise, to which he at once acceded.

No. 754.

M. Drouyn de Lhuys to Prince de la Tour d'Auvergne.—(Communicated to Earl Russell by Prince de la Tour d'Auvergne, January 20.)

Prince, *Paris, le 18 Janvier, 1864.*

M. L'AMBASSADEUR d'Angleterre m'a communiqué, le 7 de ce mois, une proposition de Lord Russell ayant pour objet de déférer l'affaire de Danemark à une médiation.

J'ai eu l'honneur de vous écrire le même jour, afin de vous mettre en mesure de faire connaître au Principal Secrétaire d'Etat de Sa Majesté Britannique notre première impression, telle que je l'avais exprimée moi-même à Lord Cowley. J'avais reçu deux jours auparavant, par le télégraphe, la nouvelle qu'une demande de médiation allait nous être adressée par la Cour de Danemark, principale partie intéressée, et je devais nécessairement attendre d'avoir cette demande entre les mains avant d'énoncer une opinion définitive.

La dépêche de M. Monrad m'a été remise le 14, et par le courrier du 16 je vous exposais la manière de voir du Gouvernement de l'Empereur.

Lord Russell ayant témoigné le désir de recevoir notre réponse dans la forme qu'il a donnée lui-même aux communications qu'il nous a fait parvenir, je ne puis que résumer ici les observations que vous avez été chargé de lui présenter, et que j'ai développées moi-même dans mes conversations avec M. l'Ambassadeur d'Angleterre.

Le Gouvernement Anglais avait très sagement établi, comme conditions préalables d'une Conférence ou d'une médiation, plusieurs points essentiels, notamment le maintien du *status quo* politique et militaire, et l'assentiment de la Confédération.

Le Gouvernement Anglais sait, comme nous, qu'aucune de ces conditions ne semble devoir se réaliser aujourd'hui. La proposition de l'Autriche et de la Prusse repoussée par la Diète, mais seulement comme ne répondant pas assez au sentiment national de l'Allemagne, et à laquelle d'ailleurs les deux grandes Puissances ont déclaré l'intention de conformer néanmoins leur conduite, menace de changer d'un moment à l'autre le *status quo* militaire.

D'autre part, les Cabinets de Vienne et de Berlin subordonnent l'Exécution du Traité de Londres à l'accomplissement des engagements contractés par le Danemark en 1851 et 1852. La Diète reste en outre saisie de la question de Succession elle-même, et sous peu de jours le *status quo* politique peut être atteint par un vote fédéral.

Enfin le Cabinet Anglais connaît, ainsi que nous, les dispositions de l'Allemagne au sujet de la médiation aussi bien que de la Conférence. Toutes les données que nous possédons nous représentent la plupart des Etats secondaires comme repoussant l'idée d'une intervention diplomatique des Puissances, et nous n'avons jusqu'ici que des raisons de douter de l'assentiment de la Confédération Germanique à une médiation.

La France et l'Angleterre ne pourraient donc pas attendre un résultat utile de l'interposition de leurs bons offices, et nous regrettons que la démarche suggérée par le Gouvernement Britannique rencontre, dans l'état actuel des choses, des obstacles qui ne permettent pas d'en espérer le succès.

Vous êtes autorisé à donner lecture de cette dépêche à Lord Russell et à lui en laisser copie.

Agréez, &c.
(Signé) DROUYN DE LHUYS.

(Translation.)

Prince, *Paris, January* 18, 1864.

THE British Ambassador communicated to me, on the 7th instant, a proposal of Lord Russell, having for its object to refer the Danish question to a mediation. I had the honour to write to you the same day in order to enable you to communicate to Her Britannic Majesty's Principal Secretary of State our first impression, such as I had already myself expressed it to Lord Cowley. I had received two days before by telegraph, the news that a request for mediation was about to be addressed to us by the Court of Denmark, the chief party interested, and I was obliged to wait until I had this request in my hands before pronouncing a definitive opinion.

The despatch of M. Monrad was handed to me on the 14th, and by the courier of the 16th I unfolded to you the views of the Emperor's Government.

Lord Russell having expressed the desire to receive our answer in the form in which he himself made his communications to us, I can only recapitulate here the observations which you have been charged to make to him, and which I have myself developed in my conversations with the English Ambassador.

The English Government had wisely established, as previous conditions for a Conference or a mediation, several essential points, especially the maintenance of the political and military *status quo*, and the consent of the Confederation.

The English Government knows, as well as we do, that neither of these conditions seems likely to be realised at present. The proposal of Austria and Prussia, rejected by the Diet, but only because it was not sufficiently in accordance with the national sentiments of Germany, and to which, moreover, the two great Powers have declared their intention to conform their conduct nevertheless, threatens to change, at any moment, the military *status quo*.

Again, the Cabinets of Vienna and Berlin make the execution of the Treaty of London depend on the fulfilment of the engagements contracted by Denmark in 1851 and 1852. The Diet, on its side, remains occupied with the question of the Succession itself, and within a few days the political *status quo* may be altered by a Federal vote.

Finally, the English Cabinet knows, equally with us, the dispositions of Germany on the subject of a mediation as well as of a Conference. All the data in our possession represent the majority of the secondary States as rejecting the idea of a diplomatic intervention of the Powers, and up to the present time we have reasons to doubt the agreement of the Germanic Confederation to a mediation.

France and England could not therefore expect a useful result from the interposition of their good offices, and we regret that the course suggested by the British Government meets, in the present state of affairs, with obstacles which forbid all hope of success.

You are authorized to read this despatch to Lord Russell, and to leave him a copy of it.

Accept, &c.
(Signed) DROUYN DE LHUYS.

No. 755.

Earl Cowley to Earl Russell.—(Received January 20.)

(Extract.) *Paris, January 19, 1864.*

I HAVE just returned from an interview with M. Drouyn de Lhuys, during which I communicated to him your despatch, desiring me to ascertain whether the Imperial Government will concert and co-operate with the Governments of Great Britain, of Austria, of Prussia, of Russia, and of Sweden, for the purpose of maintaining the engagements of the Treaty of May 1852, and especially of upholding the integrity of the Danish Monarchy.

M. Drouyn de Lhuys, after perusing your Lordship's despatch, asked me what he was to understand by the words "concerting and co-operating for the maintenance of the engagements of the Treaty of May 1852."

I replied that I could give his Excellency no further information than was contained in the despatch itself. I could only refer his question to your Lordship.

His Excellency observed that for the moment he could only reply provisionally to your Lordship's question; though he had no doubt that the Emperor would ratify his words. "We adhere," continued his Excellency, "technically to the stipulations of the Treaty of 1852; that is to say, our wishes are that it should remain in force. We recognize the value of the integrity of the Danish Monarchy as an element in the balance of power in Europe, and we see no means of insuring that integrity but by the Succession as settled in 1852. You ask us to concert and to co-operate with the other parties to the Treaty for its maintenance. In what measure is this concert and co-operation to be established? Is it proposed to ensure the object which you have in view by diplomatic means? We answer that we have commenced, and are prepared to continue those means. Does your proposal go further? And have you the application of force in contemplation? We must reserve our answer; we do not say no, but we cannot say yes. We are not bound by any guarantee to maintain the stipulations of that Treaty. For instance, if we have to choose between its modification and the commencement of a war, uncertain in its duration and dubious as to its results, to speak frankly, we should prefer the former alternative, and in saying this we are only following in the footsteps of Great Britain, who in 1830 thought it better to consent to the separation of Belgium from Holland than incur the risks of a war for the maintenance of the union, and who later (speaking of the Government then in power) would have preferred the continuation of the ancient order of things in Italy, guaranteed by proper liberties, but would not employ force for the purpose, both events having been in violation of existing Treaties."

I replied that the comparison would not hold good unless his Excellency could show that the same sentiments animated the Schleswig-Holsteiners as had been demonstrated by both the Belgians and Italians. The Belgian revolution had been the work of the Belgians themselves; their desire to separate from Holland had been unmistakeable. The aspirations of the Italians for unity had been the demonstration of a whole people, whereas there was every reason to believe that the present movement in the Duchies was mainly the result of foreign interference, and that the sentiment which generally pervaded the Duchies was not for separation from Denmark, but for the maintenance of close relations between themselves.

Her Majesty's Government, I continued, would of course prefer the settlement of the difference between Denmark and Germany by diplomatic means. All their efforts—and those efforts had been unceasing since the Treaty of 1852 had come into operation—had

been directed to a peaceful solution of the questions at issue, whether arising out of that Treaty, or of the engagements contracted by Denmark towards Germany. But if Germany by the Diet, or Austria and Prussia, on their own responsibility, determined on an immediate act of war, unless Denmark would accept conditions with which it was known beforehand it was out of the immediate power of the King of Denmark to comply, it surely became the duty of other Governments to endeavour to bring Austria and Prussia back within a common pale of action, and this seemed to me to be the great object of your Lordship's despatch.

M. Drouyn de Lhuys rejoined that he would speak to the Emperor to-morrow, and requested me to leave your Lordship's despatch with him for that purpose, which I did, cautioning his Excellency that he must make no other use of it.

No. 756.

Earl Cowley to Earl Russell.—(*Received January* 20.)

(Extract.) *Paris, January* 19, 1864.

IN reply to your Lordship's despatch of the 15th instant, I have the honour to state that no application has been made to the French Government by the Danish Government for mediation in its differences with Germany in conformity with the principle laid down in the 2nd Protocol of the Conferences at Paris in the year 1856.

I transmitted to your Lordship in my despatch of the 15th instant a copy of the despatch addressed by M. Monrad to Count Moltke, the Danish Minister here.

No. 757.

Earl Cowley to Earl Russell.—(*Received January* 20.)

My Lord, *Paris, January* 19, 1864.

M. DROUYN DE LHUYS sends to the Prince de la Tour d'Auvergne, for communication to your Lordship, copies of the despatches which he has addressed to the French Ambassadors at Vienna and Berlin, and to the French Minister at Frankfort, calling the serious attention of the two Courts and of the Diet to the consequences which may result from an invasion of Schleswig. Your Lordship will, I think, be satisfied with the tone of these despatches.

I have, &c.
(Signed) COWLEY.

No. 758.

*Earl Russell to Lord Bloomfield.**

My Lord, *Foreign Office, January* 20, 1864.

COUNT APPONYI and Count Bernstorff, in an interview I had with them on the 18th instant, contended, with an ominous identity of expression, that if the Danes resisted the occupation of Schleswig by the forces of Austria and Prussia, war must ensue; and that war would cancel all Treaties, and sweep away the Treaty of London of May 1852, together with other engagements.

The primary intention of using this language seemed to be to induce Great Britain to persuade Denmark to admit the peaceable occupation of the Duchy of Schleswig.

It is impossible for Her Majesty's Government to take any such course, and it is highly probable that resistance will be offered by the Danes to the occupation of Schleswig.

But you will take care to remark to Count Rechberg, on every suitable occasion,—

That a war in Schleswig would not relieve Austria and Prussia from the obligations contracted towards England, France, Russia, Sweden, and other Powers of Europe, by the Treaty of London;

That the Diet has no authority whatever to dispose of the Duchy of Holstein or to oppose the Succession of the King of Denmark;

That the occupation of Holstein rested upon assumed Federal grounds, affecting the

* A similar despatch was addressed to Sir A. Buchanan.

King of Denmark as the lawful heir of the late King in the Duchy of Holstein, and was an acknowledgment of King Christian as Duke of Holstein;

That the proposed occupation of Schleswig relates not to Federal grounds, but to the international obligations contracted by the late King, and which have devolved upon the present King as his lawful Successor;

That to convert these several occupations into a claim to dispose of the two Duchies to a rival claimant would amount to an international aggression, and involve a breach of faith which might entail upon Europe the most wide-spread calamities.

I am, &c.
(Signed) RUSSELL.

No. 759.

Earl Russell to Lord Wodehouse.

My Lord, *Foreign Office, January* 20, 1864.

I HAVE received and laid before the Queen your Lordship's despatches to the 7th instant inclusive.

I am happy to be able to convey to you on your return to this country Her Majesty's entire approval of the judicious and conciliatory manner in which you conducted the special mission entrusted to you by the Queen, and although under the special and urgent circumstances of the times it was hardly to be expected that you should be able entirely to restore a good understanding between Denmark and Germany, Her Majesty's Government are satisfied that you spared no pains to do so, and they cannot doubt that your considerate advice will have tended much to make the Danish Government appreciate their true position, and to dispose them to agree to any concessions which Germany may reasonably require.

Your Lordship's judgment, temper, and impartiality in treating these difficult subjects have received the marked approbation of the Queen.

I am, &c.
(Signed) RUSSELL.

No. 760.

Lord Napier to Earl Russell.—(Received January 21.)

(Extract.) *St. Petersburgh, January* 15, 1864.

I HAVE the honour to submit to your Lordship herewith a copy of the instruction addressed by M. Monrad to the Danish Minister at this Court, conveying to the Imperial Cabinet the overtures of the Cabinet of Copenhagen.

This document, considered separately, certainly implies a proposal for a mediation or arbitration on the part of Powers disinterested in the controversy between Germany and Denmark, and as such it appears to have been received by Her Majesty's Government.

M. d'Ewers, however, who reached this capital at the same time as the gentleman charged with the Danish communication, has assured Prince Gortchakoff in the most positive manner that the Cabinet of Copenhagen do not in the least exclude the form of a Conference of the Governments which signed the Act of London, together with a Representative of the Germanic Diet, or any other form of mediatory intervention or discussion; the sole object of the Danish Government being to arrive by honourable means at an equitable and pacific adjustment by the good offices of the Foreign Powers interested.

The assurances of M. d'Ewers justify Prince Gortchakoff, as his Excellency believes, in receiving the Danish proposal as an overture for a Conference of the Signataries of the Act of London with a delegate of the Confederation; as such he has accepted it at Copenhagen, and as such he recommends it at Frankfort.

M. d'Ewers did me the honour to call on me this afternoon, and stated to me that Lord Wodehouse had obtained in his presence from M. de Monrad the most explicit assurances that the "Conference" originally suggested by England and Russia was not excluded by the Cabinet of Copenhagen.

It remains to be seen what construction the French Government will place on the communication of the Danish Cabinet, and in what terms the co-operation of Austria and Prussia have been invoked by M. Monrad.

Inclosure in No. 760.

Bishop Monrad to Baron Plessen, January 5, 1864.

[See Inclosure 2 in No. 633.]

No. 761.

Lord Napier to Earl Russell.—(Received January 21.)

(Extract.) *St. Petersburgh, January* 15, 1864.

SINCE I addressed my previous despatch to your Lordship of this date, Prince Gortchakoff has received intelligence that the proposals of Austria and Prussia to the Diet for the occupation of Schleswig have been declined by a majority of that Body, and successive telegrams from more than one quarter have informed the Vice-Chancellor that the two German Governments have determined to act independently as great Powers, and to invade the Danish territory after addressing a summons ("sommation") of forty-eight hours to the Cabinet of Copenhagen.

Under these circumstances Prince Gortchakoff deems that it would be superfluous to address the combined remonstrance previously contemplated to the Diet.

The Vice-Chancellor imparted this information and consequent resolutions to me in presence of my Prussian and Austrian colleagues, this evening, after an official dinner at his Excellency's residence. I earnestly requested the Prince to represent to the Cabinets of Vienna and Berlin the unreasonableness and inhumanity of invading the territory of Denmark with such precipitation, which would effectually prevent the advice of the other Powers being tendered or accepted by His Danish Majesty, and which, if the object was the repeal of the Fundamental Law, could not possibly contemplate the revocation of that statute in a lawful manner.

Prince Gortchakoff expressed his doubt whether his advice would be productive of any good; nevertheless his Excellency requested M. de Redern and Count Guido Thun, in my presence, to telegraph to their respective Cabinets conveying his hope that a longer period would be allowed in consideration of the concessions recently made by Denmark, the formation of a new Ministry, the demand of a Conference, and the good offices which England and Russia would not fail to employ in this emergency.

The Vice-Chancellor requested me to induce Her Majesty's Government to press the same views upon the German Cabinets, which I engaged to do without loss of time. I consequently despatch my present telegram to your Lordship in the sense desired.

No. 762.

Earl Russell to Lord Napier.

My Lord, *Foreign Office, January* 21, 1864.

IT would seem from your Excellency's report by telegraph of this day that Prince Gortchakoff has intimated to the Danish Government his opinion that it would be inexpedient for them to resist the entrance of Austrian and Prussian troops into Schleswig, and thereby afford a pretext to those Governments to renounce their engagements under the Treaty of 1852. Her Majesty's Government, however, have not thought it right to make any such suggestion at Copenhagen, and they have no intention of doing so.

Her Majesty's Government are glad to find that the views of Prince Gortchakoff in regard to the Danish question coincide generally with their own.

It is obviously unnecessary now to apply to the Diet at Frankfort, as Austria and Prussia have taken upon themselves the settlement of the Danish question. But those two Governments ought nevertheless to allow sufficient time for the meeting of the Rigsraad in Denmark, and the efforts of the non-German Powers may very properly be directed to induce them to do so.

I am, &c.

(Signed) RUSSELL.

No. 763.

Lord Bloomfield to Earl Russell.—(*Received January* 22.)

My Lord, *Vienna, January* 19, 1864.

THE Bavarian Government having addressed a despatch, dated the 31st ultimo, to their Representative at the Austrian Court, on the subject of the Resolution voted by the Diet on the 7th of December in regard to the Schleswig-Holstein question, the Austrian Government replied thereto in a despatch dated the 10th instant, which has just been published in the "Vienna Gazette."

I have the honour to transmit herewith a copy of these documents with a précis by Mr. Barrington. Your Lordship will observe that the Imperial Government sets forth the measures which have impelled it, in concert with the Cabinet of Berlin, to pursue a different policy to that advocated by Bavaria and other members of the Confederation in this question.

Count Rechberg admits in this despatch that the Diet is not bound by the Treaty of London, and asserts that Austria and Prussia, while holding in their individual capacity to the provisions of that Treaty, have never attempted to force it upon the Diet. But King Christian IX, he remarks, ascended the throne not by virtue of the London Treaty, but by the Law of Succession promulgated on July 31, 1853, by his predecessor King Frederick VII in his capacity of Duke of Holstein as well as King of Denmark, and against which Law the Diet has never protested. On the contrary, Count Rechberg continues, the Diet by its Resolution of July 29, 1852, when the Treaty of London was already concluded, approved the Danish Declaration of the 28th of January of that year, in which the intention of preserving, with the aid of the Great Powers, the existing integrity of the Danish Monarchy was formally announced.

Count Rechberg asks, after adducing these and other considerations, whether the Diet is prepared to see the Prince of Augustenburg, before the validity of this claim has been even examined, establish his Government under the protection of Federal troops. His Excellency concludes by saying that Austria and Prussia cannot take the responsibility of such a proceeding, and that in view of the recent proceedings of the Diet no choice is left to the two Powers but to take an independent course of their own.

I have, &c.
(Signed) BLOOMFIELD.

Inclosure 1 in No. 763.

Extract from the "Wiener Zeitung" of January 17, 1864.

(Translation.)

WE are enabled to publish the following document:—

Instruction of the Bavarian Minister for Foreign Affairs to the Bavarian Envoy in Vienna, dated at Munich, the 31st December, 1863, No. 352.

"The Representatives of Austria and Prussia handed over to the Royal Government on the 5th instant the identic notes already made known by the newspapers, in which these two Governments, declaring their views upon the first steps to be taken in the matter of Schleswig-Holstein, solicited us to vote in the Federal Assembly for the well-known Austro-Prussian motion for the simple carrying out of the measure of Execution resolved upon on the 1st October ultimo.

"As this matter has already been settled in accordance with the wishes of those Governments by a Resolution of the majority taken on the 7th instant, we have nothing further to do herein but to express our regret that we are unable, after the failure of our endeavours at an accommodation in the United Committees, to partake in the views of the Cabinets of Vienna and Berlin.

"As the Treaty of London of the 8th May, 1852, appertains as little to the Bund as to the King's Government, the measure of Execution introduced against Frederick VII of Denmark, as Duke of Holstein and Lauenburg, could not in our opinion be carried out after the decease of that Monarch; on the other hand, the occupation of those Duchies, which is grounded on Federal right, must take place for the security of all those rights which it is the duty of the Bund to maintain under present circumstances.

"We are very far from wishing to prejudice the free resolutions of another Government in reference to its vote in the Federal Assembly, and we do not hesitate to allow a full course to those views which are different from our own; but

we also think we ought to maintain the full freedom of our own resolutions, and to claim the acknowledgment that we have chosen our standing-point in the present conjuncture on nothing but a conscientious consideration of the question of right, which goes before every other consideration, and that the security and the rights of Germany are not less dear to us than to the rest of our Federal associates. But in this matter we must also decidedly repel the approach which appears to exist in calling the attention of the King's Government to the dangers which might be connected with a hasty proceeding on the part of the Bund having a one-sided tendency.

"And moreover, we do not leave out of view the fact that the maintenance of rights which is the duty of the Bund, may, under the present political state of things, lead to a general war. But the responsibility of this, as well as criminality of risking peace which we in nowise undervalue, cannot fall upon those Governments which are fulfilling a sacred duty by the defence of those rights. And in this it appears to us, moreover, that an endeavonr to maintain peace at the expense of a violation of right offers no security against the outbreak of a war, nor does it give to Europe better guarantees for peace and order than is afforded by a policy which strives to satisfy the demands of justice, and thereby removes also those dangers which otherwise threaten from within and surely demand no less attention than the danger of war, which will also be so much the less to be apprehended the more Germany faces the foreigner united.

"It is not very clear to us how the Bund would suffer in its consequence ('Ansehen') if Austria and Prussia were out-voted in the present affair.

"In our opinion this could not be the case unless the Resolution of the Bund remained without any result, whereas the consequence and the importance of the Bund could surely only gain if the two Great German Poweas were to co-operate in a Resolution taken without their assent, or only to place no obstacle in its way.

"We thought we could depend upon this at all events; for to say nothing of the fact that the obligations founded upon the ancient fundamental laws of the Bund are undoubtedly superior to those of the more recent London Treaty, the obligations of Austria and Prussia arising out of this Treaty must altogether appear to us more than doubtful, when the London Treaty could not receive a legal value without the assent of the nearest inheritors and that of the representatives of the territories, both of which are still absent; and with the well-known sense of justice of the Vienna and Berlin Cabinets, it could never be supposed that they would violate the well-founded rights of other parties by concluding this Treaty, or that they would think of maintaining the Treaty notwithstanding that absence.

"And moreover we hold the London Treaty to be no longer obligatory on those two Powers, because the conditions on which their assent to the same is supported, have not been fulfilled by the other party.

"In looking to the assurance given by those Cabinets in the identic notes, that they will energetically maintain the rights and interests of Germany, which can surely be hardly separated from those which are here in question, we believe that we may confidently cherish the hope that the Governments of Austria and Prussia will be pleased, in the interest of their own position in Germany, as well as of the Bund and its menaced rights, to acknowledge the London Treaty of the 8th May, 1852, as no longer binding upon them, and that they will instruct their Envoys in the Diet in conformity to the Federal Resolution of the 23rd instant, to effect a solution of the question of the inheritance as speedily as possible, in respect of which we consider the claims of the hereditary Prince Frederick of Augustenburg to be legally founded.

"In requesting you to read the present communication to his Excellency the Count Rechberg, and authorizing to give him a copy of the same at his request, I trust that you will use all your influence to win the Imperial Cabinet over to the national cause; and I take the opportunity, &c."

Inclosure 2 in No. 763.

Précis of a Despatch from Baron Schrenk to the Bavarian Minister in Vienna of December 31, 1863, *and of Count Rechberg's Reply of January* 10, 1864.

Baron Schrenk commences by saying that, as the London Treaty of 1852 is binding neither on the Diet nor Bavaria,—in the opinion of the latter, the Execution resolved upon against King Frederick VII as Duke of Holstein and Lauenburg could

after his death no longer be proceeded with; but that those Duchies should be occupied by the Confederation in security of those rights which it is its duty to preserve. He is aware that in the existing state of affairs such a course might lead to a general war, but the responsibility would not lie with those who, in defending these rights, are fulfilling a sacred duty; whilst the chances of such a result are in his opinion equally entailed if these rights are disregarded.

Baron Schrenk goes on to say that the obligations by which Austria and Prussia are bound by the London Treaty are of a very doubtful nature:—

1st. Because that Treaty could only acquire the force of law after receiving the hitherto wanting sanction of the nearest heirs, and of the Representative Assemblies of the countries upon which it bears; and

2nd. Because the Federal obligations of the two Great Powers are anterior to the Treaty, and because the conditions under which they entered into that Treaty have never been fulfilled by the opposite party. He concludes by hoping that Austria and Prussia, in their own interest and in that of the Confederation, will declare the London Treaty of May 1852 to be not binding on them, and will instruct their Representatives at the Diet to effect a quiet solution of the question of Succession, to which Bavaria considers the claims of the Prince of Augustenburg as grounded on law.

Count Rechberg, in his reply, enters into a lengthy dissertation to the effect that the Diet has no right of occupation, and that it is incompetent to pass any resolution in this sense. With regard to the proposal that Austria and Prussia should submit to be outvoted at Frankfort, he allows that the Federal laws admit of no veto on the part of an individual member of the Confederation, and that the Emperor in his scheme of reform had discountenanced any idea of the sort. This, however, is on the presumption that the Diet should act in accordance with Treaties, and that it should not, according as it might be politically convenient, pass any resolution without regard to Constitutional Law. Supposing, writes Count Rechberg, that in deference to an excited public feeling the Diet were to adopt arbitrary measures in regard to Bavaria, that country would surely resist, and she must therefore acknowledge that the effect of the vote of the majority must be in some measure restricted, especially when there is a question of imposing a line of conduct upon Austria and Prussia, which would be in contravention of their obligations as European Powers.

With regard to the Succession question, the Diet is perfectly independent of the London Treaty. But Austria and Prussia must demand of it not to treat this question arbitrarily, but to keep strictly within the limits of law and of its competency. King Christian IX did not mount the Throne by virtue of the London Treaty, but of the law of Succession made by his predecessor in his capacity of King of Denmark, and of Duke of Holstein and German Prince, and countersigned by the German and Danish Ministers on July 31, 1853.

The Diet never protested against this law, whilst by its Resolution of July 29, 1852, when the London Treaty was already concluded, it approved the Danish Proclamation of January 28 of the same year, which was to the same purport as this law. It is true the Diet can still exercise its authority against the carrying out of this law as far as it affects Holstein and Lauenburg, but it can only do so in a constitutional manner, and it cannot act without affording a proper hearing to all parties concerned.

We cannot, Count Rechberg continues, too deeply regret the opposition made to the Austro-Prussian proposal in the Diet, which goes to the utmost limits that are reconcileable with the defensive character of the Federal institutions, whilst those limits are overstepped by the Hessian project. Article 2 of the Federal Pact, Articles XXXV and XXXVII of the Final Act of Vienna, forbid the Confederation to occupy a non-German country, in order that a Prince, who is not yet recognized as a Federal Prince, may possibly at a future period apply to the Confederation to establish his claims on such country.

When the Emperor proposed to extend the right of the Diet to make war to cases in which the balance of power in Europe was threatened, His Majesty's fellow-Princes rejected the proposal, because it might have the effect of entangling the Confederation in political complications. And yet the Diet is to be now entitled to assume the offensive for the sake of securing to a pretender the Succession to a country which does not belong to the Confederation? Or, on the other hand, is the actual occupation of Holstein, actual in spite of the Resolution of the Diet, to be deemed satisfactory ("genügend")? Is Prince Frederick, whilst his case is still pending, and his appearance in Holstein places the conduct of Austria and Prussia in a dubious light, to be allowed to organize his future Government under the protection of the Federal troops, with the danger of Europe presently finding Holstein in the possession of Germany, and Schleswig in that of Denmark? Austria and Prussia will take the responsibility neither for this nor for a covert conquest of Schleswig,

and as they possess full means as Great Powers of establishing the rights of Germany in this matter, no choice is left to them but to take the case into their own hands, instead of abiding by Federal resolutions, which are either dilatory in their nature, or devoid of Constitutional character.

We will, however, hope as long as possible that our language, which, however serious, is meant to be friendly, will find an echo with our allies, and will deter them from bringing affairs in Germany to a rupture. We hope this especially of the Cabinet of Munich, which has so often shown its wisdom in former complications, and of which the influence would serve to bring other States round to the views of Austria and Prussia, and thus prevent a dissolution of the unity of Germany on the point at issue.

We cannot conclude without expressing our conviction that this question will be solved with honour or loss to Germany, according as Germany respects or transgresses the bounds within which she is legally restricted.

No. 764.

Lord Bloomfield to Earl Russell.—(*Received January* 22.)

My Lord, *Vienna, January* 19, 1864.

I HAVE the honour to inclose the copy of a note which, in conformity with the instructions contained in your Lordship's telegram of yesterday, I have this day addressed to Count Rechberg.

I have, &c.
(Signed) BLOOMFIELD.

Inclosure in No. 764.

Lord Bloomfield to Count Rechberg.

Vienna, January 19, 1864.

HER Majesty's Government having been informed that the Governments of Austria and Prussia have addressed a threatening summons to Denmark, the Undersigned, Her Britannic Majesty's Ambassador Extraordinary and Plenipotentiary, has been instructed to ask for a formal declaration on the part of the Austrian Government that it adheres to the principle of the integrity of the Danish Monarchy.

The Undersigned, in doing himself the honour to make the above commmunication, takes this opportunity to renew to his Excellency, &c.

(Signed) BLOOMFIELD.

No. 765.

Lord Bloomfield to Earl Russell.—(*Received January* 22.)

My Lord, *Vienna, January* 19, 1864.

WITH reference to my despatch of the 14th instant,* respecting the terms which Count Rechberg thinks most likely to ensure the attendance of a Representative of the Diet at a Conference summoned to consider the Dano-German difficulty, I have the honour to inform your Lordship that I have again spoken to his Excellency on this subject. His Excellency said that the more he considered the question the more he inclined to the suggestion he had made, for it really was impossible at this moment, and in the state of confusion which existed, to define any bases whatever. He told me that he raised no objections to your Lordship's despatch of the 9th instant; on the contrary, he approved of the principles laid down in it, but he could not advise their being stated as the grounds of the invitation to a Conference. He had written to Count Apponyi, who would communicate with your Lordship on the subject.

I have, &c.
(Signed) BLOOMFIELD.

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* No. 730.

No. 766.

Lord Bloomfield to Earl Russell.—(*Received January* 22.)

My Lord, *Vienna, January* 19, 1864.

WITH reference to my telegram of the 15th instant, in which I mentioned Count Rechberg having informed me that the Austrian and Prussian summons calling on Denmark to revoke that part of the Constitution of November 18 which affected Schleswig was about to be delivered at Copenhagen, I have the honour to inform your Lordship that I again entreated his Excellency to bear in mind the utter impossibility of the King of Denmark complying with the summons within the time specified; that his Parliament was not sitting, and that without its assent nothing could be done. He replied that in a constitutional manner it would be perhaps impossible, but the King might order a state of siege in Schleswig, which would ensure a suspension of the Constitution in the Duchy; and that, after all, the Danish Government could not assert that they were taken by surprise, for they had been perfectly aware for a long time past of all that was intended, and cannot but admit that the proceedings of Austria and Prussia were more to their advantage than if the matter had been in the hands of the Bund. He repeated his hopes that the Danish Government would not oppose the entrance of the Austrian and Prussian forces into Schleswig, and spoke of his expectation that a conflict with the Danish army would be avoided in a manner that led me to suppose his reasons for so thinking had some better foundation than the mere hope of thereby avoiding a most serious complication.

I endeavoured to discover on what he based his hopes, but could learn nothing except that M. de Dirchink, the Danish Minister at Frankfort, was intimately acquainted with the policy of the Imperial Government, and the objects which they had in view, and might have been able to make them understood and appreciated at Copenhagen.

I have, &c.

(Signed) BLOOMFIELD.

No. 767.

Lord Bloomfield to Earl Russell.—(*Received January* 22.)

(Extract.) *Vienna, January* 19, 1864.

YOUR Lordship will have been fully informed by telegram of the 17th instant, of the impossibility in which Count Rechberg appears to find himself of giving more time to Denmark, and he always maintains that it is in her interests that an early occupation of Schleswig should take place by the troops of Austria and Prussia, in order to prevent the forces sent by the Confederation being concerned in this movement.

I have urged his Excellency to consider the danger which might result to the Throne of Denmark from the projected invasion of the Duchy if the Constitution were not instantly repealed, but his Excellency evidently wished me to consider the decision of Austria and Prussia to be definitely taken, and that if some means are not adopted by the King of Denmark to satisfy the demands of Germany force must be employed.

I drew his attention to the dangers that might result to the peace of Europe from a conflict with the Danish forces, an event which appeared to me inevitable if more time were not allowed. Conferences, I said, might be opened, and war altogether prevented.

No. 768.

Lord Bloomfield to Earl Russell.—(*Received January* 22.)

(Extract.) *Vienna, January* 20, 1864.

IN obedience to your Lordship's instructions I have delivered to Count Rechberg a copy of your despatch of the 13th instant, stating the bases proposed by Her Majesty's Government for any Conference, which may be held on the differences between Germany and Denmark, with a view to the pacific settlement of these differences.

His Excellency thanked me for this communication.

No. 769.

Lord Bloomfield to Earl Russell.—(*Received January* 22.)

(Extract.) *Vienna, January* 20, 1864.

WHEN I saw Count Rechberg yesterday he had just received a telegram from Copenhagen informing him that the Danish Government had refused to agree to the joint Austrian and Prussian demands, and that Baron Brenner and M. de Balan would leave Copenhagen as soon as the state of the ice permitted their doing so, and other intelligence also arrived which made him expect armed resistance on the part of the Danes, and this he feared might complicate the whole question, and perhaps even affect the attitude of Austria and Prussia.

No. 770.

Lord A. Loftus to Earl Russell.—(*Received January* 22.)

My Lord, *Munich, January* 20, 1864.

I INQUIRED lately of Baron Schrenk whether any formal communication of a French circular despatch on the question of Schleswig-Holstein had been made to him, and with what object. His Excellency replied that a few days ago the French Chargé d'Affaires, Count Gabriac, had been with him, having in his hands a despatch from M. Drouyn de Lhuys.

He did not read to him the despatch *in extenso*, but referred to it in conversation; but finally read the last paragraph, in which inquiry is made as to the views entertained by the Bavarian Government with reference to the Conference proposed for the arrangement of the differences between Denmark and Germany, and as to whether the Bavarian Government were disposed to support at Frankfort the proposal that Germany should be represented at the Conference by a special Plenipotentiary.

Baron Schrenk then stated that he had replied to these interrogatories of Count Gabriac in the same manner as he had replied through Baron de Cetto to your Lordship's proposals, namely, that he did not consider that Germany could accept a Conference on the affairs of Holstein, as he could only recognize the competency of the Diet to decide on the internal affairs of a German State, but that it might be possible to refer the differences concerning Schleswig to an European Conference.

Baron Schrenk observed to me that, in admitting the possibility of an European Conference to arrange the differences with respect to Schleswig, the Bavarian Government would subject themselves to much popular disapproval, and that the acceptance of any Conference whatever on the affairs of Schleswig-Holstein would raise a general outcry of dissatisfaction in Bavaria.

Baron Schrenk informed me that the communications between the French Government and himself on this subject had been merely of a verbal nature, and that Count Gabriac had not left in his hands a copy of the French despatch to which I have previously alluded.

I have, &c.
(Signed) AUGUSTUS LOFTUS.

No. 771.

Lord A. Loftus to Earl Russell.—(*Received January* 22.)

(Extract.) *Munich, January* 20, 1864.

HAVING been informed that the Saxon Government had refused to allow the passage through their territory of Austrian troops, I inquired of Baron Schrenk whether any communication had taken place between the Austrian and Bavarian Governments on the same subject. Baron Schrenk confirmed the reported refusal of the Saxon Government, and expressed his approval of it.

No. 772.

Sir H. Howard to Earl Russell.—(*Received January* 22.)

My Lord, *Hanover, January* 20, 1864.

THE Prussian Minister at this Court communicated yesterday to Count Platen a despatch of the 18th instant received by him from his Government, inclosing a copy of the Declaration made by Prussia and Austria in the sitting of the German Diet of the 14th instant, on the occasion of the rejection of their proposal concerning the occupation of Schleswig, in the event of Denmark refusing to repeal the Common Constitution for Denmark and Schleswig of the 18th of November last.

In this despatch, as I am informed, the Prussian Minister for Foreign Affairs expresses the regret of his Government that an understanding concerning a common action of the Confederation in this matter had not been attained, and states that they must decline the responsibility of this failure. But the Prussian Government, he adds, no more than the Austrian, could consider themselves relieved from the obligations resulting from their position as a German Power, and from their participation in the negotiations with Denmark in 1851 and 1852. Both Governments had consequently decided to carry out in their own name the step they had intended taking in common with the Confederation, and likewise to take into their own hands the eventual vindication by the force of arms, which might become necessary, of German rights in Schleswig.

It is further stated in the despatch that the summons to the Danish Government to withdraw the Constitution of the 18th November last within forty-eight hours had been despatched to Copenhagen, and that if compliance was refused the Prussian and Austrian troops would be set in motion, and would proceed, as soon as they should be in sufficient numbers, to carry out the occupation of Schleswig by force if Denmark, as was expected, should offer resistance.

Count Platen has just informed me that he has received a telegraphic despatch from Frankfort stating that in consequence of tranquillizing assurances given by the Austrian and Prussian Governments it was not their intention to interfere with the Federal Execution in Holstein and Lauenburg, the Committee of the Diet for the affairs of Holstein was preparing instructions to the Federal Commissioners in that Duchy directing them not only not to throw any difficulties in the way of the passage of the Austrian and Prussian troops through the German Duchies to Schleswig, but, on the contrary, to afford them every facility.

His Excellency observed that the South German States appeared to be moderating their tone and conduct.

The first detachment of the Prussian troops belonging to the division (from 15,000 to 17,000 men strong) ordered from Minden, and destined for Schleswig, passed through Hanover yesterday evening, in eight special railway trains, on their way to Harburg and thence to Holstein. No particular incident marked their passage.

Count Platen positively contradicted to me the report current in the newspapers that the King of Hanover had been brought with difficulty to consent to the passage of these troops.

His Excellency has heard that the Danish Government have replied to Austria and Prussia that it will be impossible for them to rescind the Constitution in forty-eight hours. He believes that this evasive answer will be considered by those Powers in the light of a refusal to comply with their demands.

I have, &c.
(Signed) HENRY F. HOWARD.

No. 773.

*Earl Russell to Earl Cowley.**

My Lord, *Foreign Office, January* 22, 1864.

IT appears by a telegram which I have received from Her Majesty's Minister at Copenhagen, that despatches were to be sent from that capital by messenger yesterday evening to London, Paris, St. Petersburgh, and Stockholm, announcing that the Danish Government is prepared to order elections to be held with a view to the immediate convocation of the Rigsraad, and, when that Assembly has been brought together, to propose to it to repeal the Constitution of the 18th of November.

* Similar despatches were addressed to Lord Napier and Mr. Jerningham.

The Government to which you are accredited may also have been apprized from Copenhagen of the communication about to be made to it; and Her Majesty's Government desire to know whether the French Government, on receiving it, will be prepared to offer their good offices at Vienna and Berlin, in order to obtain a delay of six weeks from the 1st of February next, before any further measures are taken by those Courts, so that the Rigsraad may have time to meet, and to deliberate upon the proposal which the Danish Government is prepared to lay before it.

Her Majesty's Representative at St. Petersburgh and Stockholm will be instructed to make a similar inquiry of the Governments to which they are respectively accredited.

Your Excellency is authorized to say that Her Majesty's Government will readily join in making such an appeal to the Austrian and Prussian Governments.

I am, &c.
(Signed) RUSSELL.

No. 774.

Earl Cowley to Earl Russell.—(Received January 23.)

(Extract.) *Paris, January* 21, 1864.

M. DROUYN DE LHUYS informed me by a letter, which I received last night, that the Emperor approved completely the language which his Excellency had held to me upon the subject of your Lordship's despatch of the 18th instant, and which I had the honour to report to you in my despatch of the following day. His Excellency stated further that he was about to write to the French Ambassador in London in the same sense.

I saw M. Drouyn de Lhuys this afternoon, when he read to me his despatch to the Prince de la Tour d'Auvergne. Although more developed in some instances, and more restricted in others, it coincides in all respects with his words to me.

No. 775.

Mr. Gordon to Earl Russell.—(Received January 23.)

My Lord, *Stuttgardt, January* 19, 1864.

IT has been determined by the Baden Government to proceed immediately with all the necessary measures preparatory to a mobilization of the Grand Ducal military strength, so as to be ready to meet the possible call of the Diet at Frankfort, for the services of the Baden contingent within the shortest possible delay.

Resolutions to the above effect are to be proposed to the Wurtemberg Lower Chamber this evening, when it is expected that Baron Hügel will state the course which the Government has determined to pursue.

I have, &c.
(Signed) G. J. R. GORDON.

No. 776.

Sir A. Malet to Earl Russell.—(Received January 23.)

My Lord, *Frankfort, January* 21, 1864.

THE declaration made by Austria and Prussia in the extraordinary sitting of the Diet held on Tuesday the 19th instant has, I learn, had a conciliatory effect on the majority of the Diet, and the Saxon proposition to prohibit the passage of their troops through Holstein has been withdrawn.

I beg to annex a translation of the text of the joint declaration, made by Mr. Mitford. I am told that the non-interference with the Commissioners and armed force who are at present acting on behalf of the Diet in Holstein and Lauenburg will be so absolute that the residence of Prince Frederick of Augustenburg at Kiel will still be tolerated.

I have, &c.
(Signed) A. MALET.

Inclosure in No. 776.

Declaration.

(Translation.)

THE declaration made in the former sitting of the Diet by the Envoys of Austria and Prussia, in the name of their Governments gave rise to protestations in the face of which they on their part were bound to maintain the rights of their Governments and to reserve all further expression of opinion or decision.

They are now forced to make the following explanation. After the rejection, on the 11th instant, of their renewed simultaneous motion of the 28th ultimo, their Governments, while they announced their determination of proceeding without delay to carry out the measures they conceived necessary and no longer to be deferred for assuring the rights of the Germanic Confederation as regards Schleswig, intended that no hindrance was to be placed in the way of carrying out the arrangements decreed by the Diet in its Resolutions of the 7th and 14th ultimo, as regards the Federal occupation and administration of the Duchies of Holstein and Lauenburg.

Austria and Prussia have not run counter to these arrangements, by the fact of their troops destined for Schleswig having unavoidably entered Holstein.

But it is true that both Governments confidently hope that the proceedings commenced by them for the preservation of the interests of Germany, as well as those of Schleswig, will meet with the cordial and friendly cooperation of those of their Confederates whose dominions will be entered, as also of the Federal administrative authorities in Holstein.

No. 777.

*Earl Russell to Lord Bloomfield.**

My Lord, *Foreign Office, January* 23, 1864.

SIR AUGUSTUS PAGET has reported to Her Majesty's Government that the Danish Government is willing to call the Rigsraad together in order to submit, for its consideration, the repeal of the November Constitution, and Sir Augustus adds that immediate orders will be issued for the election of the Members.

Your Excellency will communicate this information without delay to the Austrian Government, and you will ask Count Rechberg to grant a delay of six weeks from the 1st day of next month before military operations are commenced, in order that there may be sufficient time allowed for calling together the Rigsraad, and for submitting to that Assembly the revocation of the Constitution.

I am, &c.
(Signed) RUSSELL.

No. 778.

Mr. Jerningham to Earl Russell.—(Received January 24.)

My Lord, *Stockholm, January* 13, 1864.

AS your Lordship's despatch of the 26th ultimo, informing me of the communication by Count Wachtmeister of a long despatch from Count Manderström on the Danish question, intimates a possible doubt as to the precise meaning of a passage regarding eventual assistance by Sweden to Denmark, I have thought it advisable to consult Count Manderström upon the subject, when his Excellency stated that your Lordship's appreciation of his meaning was substantially correct, and that the Swedish Government, while preserving its liberty of action, was, and still is, ready to take part with one or more of the Great Powers who should come to the aid of Denmark against Germany.

Another member of the Cabinet, Count Platen, has spoken to me strongly in the same sense.

I have, &c.
(Signed) G. S. S. JERNINGHAM.

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* A similar despatch was addressed to Sir A. Buchanan.

No. 779.

Sir A. Paget to Earl Russell.—(Received January 24.)

My Lord, *Copenhagen, January* 18, 1864.

M. QUAADE called yesterday to inform me that he had received the day before (the 16th instant) in the afternoon, a collective note from the Austrian and Prussian Ministers calling upon the Danish Government to withdraw the Fundamental Law of the 18th of November.

This Law, they state, is considered by their Governments to be a violation of the arrangements of 1851-52, and an incorporation of Schleswig. The Danish Government is consequently called upon to re-establish the state of things existing before the 1st of January of this year, when the Law came into force; and, if they decline to do so, the Austrian and Prussian Governments reserve to themselves to employ such means as they possess for guarding against the incorporation of Schleswig. The Austrian and Prussian Envoys add, that if they do not receive an answer in the course of the 18th instant, stating that the Fundamental Law has been withdrawn, they have orders to quit the Danish capital.

The abruptness of this communication and its peremptory terms had evidently produced a deep impression upon M. Quaade and his colleagues. His Excellency had just left the Cabinet, where, he said, the answer to be returned had been discussed. It would, of course, be a refusal.

I observed that, in my opinion, the Danish Government should not allow itself to be swayed in the slightest degree by the nature of the Austrian and Prussian communication; that it appeared to me that excepting as to the form, which would tell against the senders and not the recipients of the note, it mattered, in point of fact, very little whether the Danish Government were called upon to withdraw the Constitution in forty-eight hours, a week, or a fortnight, which I believe was quite as much delay as they had anticipated would be allowed by the Austrian and Prussian Governments, for that the absolute withdrawal either within a week or a fortnight was probably quite as much an impossibility as within forty-eight hours.

My decided advice to the Danish Government, therefore, was that they should return a calm and dignified answer to the Austrian and Prussian Ministers, stating that their demand for the repeal of the Constitution in forty-eight hours could not be effected without having recourse to illegal means. That the Government was, therefore, not prepared to advise the King to agree to it, but that, nevertheless, the Government being desirous of doing everything which depended on them for the maintenance of peace were ready to advise His Majesty to adopt immediately the only measure by which the object demanded by the Austrian and Prussian Governments could be obtained, namely, ot convoke the Rigsraad and to submit to them a proposal to repeal the Constitution; that, if notwithstanding this declaration, Austria and Prussia invaded His Danish Majesty's dominions they must be responsible for the consequences that would follow, and for having put it out of the power of the Danish Government to give effect to their conciliatory and pacific intentions.

My Russian colleague, who happened to be with me when M. Quaade called, strongly supported this language. Baron Nicolay pointed out that Denmark being called upon to repeal the Constitution in forty-eight hours on pain of the Austrian and Prussian Ministers leaving their post, was a very different thing from Denmark being threatened with an invasion at the expiration of that time. There was still time, he contended, for negotiation, if the Danish Government declared themselves ready to obtain the repeal of the Constitution through the Rigsraad, and he endeavoured to remove the effect which the Austrian and Prussian communication had produced on the Danish Cabinet by an explanation of the probable motives which had decided these Powers to give so short a time to Denmark for reflection, and which appeared to him to be dictated more with reference to their position in Germany than to a desire to press unduly on the Danish Government.

M. Quaade was of opinion that in the actual reply to the Austrian and Prussian note, it would be better simply to state that their demand could not be complied with, but he said he would do what he could with his colleagues to induce them to consent to a kind of supplementary declaration in which the Danish Government should state their readiness to convoke the Rigsraad with a view to the abolition of the Constitution.

I have, &c.

(Signed) A. PAGET.

No. 780.

Sir A. Paget to Earl Russell.—(*Received January* 24.)

(Extract.) *Copenhagen, January* 18, 1864.

SINCE writing my despatch of this day I have seen M. Quaade, and he had the goodness to inform me of the tenour of the reply of the Danish Government to the Austrian and Prussian note delivered the day before yesterday. His Excellency said that the demand was refused in the first place ("déjâ même") because the time allowed for complying with it was not sufficient to allow of the necesary preparatory measures being taken for the purpose. M. Quaade said that this might be taken as a kind of admission that if the necessary time had been granted the demand might have been agreed to. I said that I regretted the Danish Government had not stated this in clearer language, in short that they had not sent a reply in the sense I had suggested to his Excellency's and M. Monrad's attention; and I asked M. Quaade if the reply was not accompanied by any declaration to this effect, as he had given me some hopes to expect, and which I stated I had reported to your Lordship. His Excellency replied that I had misunderstood him, and he begged I would correct the information I had sent to your Lordship. He had not contemplated a declaration to the Austrian and Prussian Ministers, but one either to Her Majesty's Government, or in the shape of a circular which might be brought indirectly to the knowledge of the Austrian and Prussian Governments. He had still some hopes of being able to do this.

I said if any mistake had arisen, it was not of my creation; that in all my conversations with his Excellency and M. Monrad I had never spoken of anything but as to the nature of the answer which should be returned to Austria and Prussia: that I had endeavoured to point out, as clearly as I could, the advantage it would be to Denmark to make the reasonable offer I had suggested to the Austrian and Prussian Governments, and to throw on them the responsibility of rejecting it. If the Danish Government did not see these advantages, I said, they must follow their own policy. In the one case, they would be making an offer which would secure to them the approbation of every country in Europe, particularly constitutional countries. If the Danish Government declared fairly and honestly to Austria and Prussia that they were ready to take the only legal means which existed for acceding to their demands, the pressure which could be brought to bear upon them would probably make those Governments reflect before they refused to grant the necessary time for carrying those means into effect. At all events, happen what would, the Danish Government would have acted wisely and in accordance with the advice of their friends, and the responsibility of the war could not be laid at their door.

M. Quaade did not attempt to dispute this argument; in short, I believe that it is in this sense that he speaks to his colleagues, but it has hitherto been of little avail, and his Excellency was unable to give me any hope that any further communication would be addressed to the Prussian and Austrian Governments, at all events that there was no chance of the Cabinet agreeing to such a step for the next few days. If it can be ultimately obtained, it might be addressed through the Secretaries of the Danish Legations at Vienna and Berlin, who will still reside in those capitals for the present on the same footing as the Austrian and Prussian Secretaries here.

I confess that a direct communication from the Danish to the Austrian and Prussian Governments of their intention to convoke the Rigsraad appears to me of the highest importance with a view to oblige these Governments to state either directly or indirectly whether they object to such a measure, or will tacitly consent to it, so that they may not have the further grievance against the Danish Government that they have not only enacted the Constitution of 18th of November, but in spite of all that has been said and done have added insult to injury by bringing it into vigour. I am the more anxious on this subject since the receipt of a telegram this morning from Sir Andrew Buchanan, and from which it appears to me very doubtful whether the Prussian Government may not bring forward this accusation. Failing to obtain this announcement from the Danish to the Austrian and Prussian Governments, I shall then do my utmost to get the Rigsraad convoked for the purpose of repealing the Constitution without any reference to those Governments.

My Russian colleague has this day received instructions from his Government to join with me in recommending this course.

No. 781.

Sir A. Paget to Earl Russell.—(*Received January* 24.)

My Lord, *Copenhagen, January* 18, 1864.

WITH reference to my despatch of this day's date, I have the honour to inclose herewith copies, together with translations by Messrs. Scott and Kirkpatrick, of the collective note addressed by the Austrian and Prussian Ministers at Copenhagen to the Danish Minister for Foreign Affairs demanding, in the name of their Governments, the repeal of the Constitution of November 18, 1863, and of the reply of the Danish Government to this summons.

I have, &c
(Signed) A. PAGET.

Inclosure 1 in No. 781.

Baron Brenner and M. de Balan to M. Quaade.

(Translation.) *Copenhagen, January* 16, 1364.

THE Governments of Austria and Prussia had cherished the hope that the common Constitution for Denmark and Schleswig, which was sanctioned by King Christian IX on the 18th of November last year, and which it was resolved to bring into force on the 1st of January, 1864, would have been withdrawn before the present period.

This hope has not been fulfilled. On the 1st of January of this year the Constitution acquired legal force, and the incorporation of Schleswig was completed. The Danish Government has thereby broken in the most distinct manner the obligations which it contracted in the year 1852 towards the German Diet, and especially to the two German Powers, and has called into existence a state of things which cannot justly be regarded as in accordance with Treaty engagements.

The two Powers, in consequence of the position which they assumed in those negotiations, the result of which was on their recommendation accepted by the German Diet, owe it to themselves and to the Diet not to permit such a state of things.

They therefore address once more to the Danish Government the express demand to withdraw the Constitution of November 18, 1863, which is based on no principle of right, and at least to establish the *status quo ante* as the necessary preliminary condition to further negotiation.

Should the Danish Government not meet this demand the two Powers will find themselves compelled to employ such means as may be in their power for the establishment of the *status quo ante*, and the security of Schleswig from unjust incorporation with the Kingdom of Denmark.

The Undersigned, former Ministers of the two Powers, who although not formally accredited, negotiate in this case on the special commands of their Governments, are ordered to demand the withdrawal of the Constitution of November 18, last year, and if the declaration that this has been done does not reach them in the course of the 18th of this month, to quit Copenhagen.

The Undersigned, &c. (Signed) BRENNER.
BALAN.

Inclosure 2 in No. 781.

M. Quaade to Baron Brenner and M. de Balan.

(Translation.) *Copenhagen, January* 18, 1864.

IN a collective note which has been delivered to the Undersigned, His Danish Majesty's Minister for Foreign Affairs, the former Ministers of Austria and Prussia have, at the special direction of ther respective Courts, addressed a summons, dated the 16th instant, to His Majesty's Government to withdraw the Constitutional Law of the 18th of November, both Powers, in case of a refusal, reserving to themselves the right of employing the means at their command for re-establishing the *status quo ante*. Should the announcement on the part of His Majesty's Government that the required withdrawal has been effected not be made to the Ministers in the course of the 18th instant, the latter are directed to leave Copenhagen.

The Undersigned has felt it his duty to lay the contents of this communication before the King his most gracious Sovereign, and he is now commanded by His Majesty to make the following reply to the Ministers:—

While, on the one hand, His Majesty's Government are unwilling to enter here into any further discussion on the motive of the note, which the presumed object of the Constitution of November 18 and its incompatibility with the negotiations of 1851-52 have called forth, on the other hand they cannot, in face of the judgment thus delivered and the assertions by which it is accompanied, refrain in passing from maintaining their opposite view of the case.

As to what more immediately concerns the summons itself which has been addressed to His Majesty's Government, His Majesty the King finds himself at once unable to comply with it, since the delay fixed has not even admitted of his making the necessary preparations for effecting in a legal manner the withdrawal of the Constitution which has been objected to. Since His Majesty's Government are thus under the impossibility of complying with the summons contained in the note of the 16th instant, they must also decline all and every responsibility which may on this occasion ensue from the initiative taken by the two Great German Powers.

The Undersigned, &c. (Signed) G. QUAADE.

No. 782.

Mr. Gordon to Earl Russell.—(*Received January* 24.)

My Lord, *Stuttgardt, January* 21, 1864.

I HAVE to inclose the translation of a motion which was brought before the Lower Chamber here on the 18th instant, urging on the Government the mobilization of the Wurtemberg military contingent, in consequence of the late determination of Austria and Prussia to occupy Schleswig in opposition to the vote of the Diet on the 14th instant. The motion was referred to the Constitutional Committee, which brought up its Report the next day, and which was discussed in an evening sitting of four hours' duration.

The Committee had unanimously modified the motion submitted to them as follows:—

"The Chamber urgently requests the Government—

"1. To place at the disposal of the German Confederation, for the security of the Duchies of Schleswig-Holstein, such number of troops as can be immediately furnished.

"2. To make all the requisite preparations for the immediate mobilization of the Wurtemberg contingent, so that at the first call of the Diet the same may be ready to march.

"3. To bring about similar measures on the part of the States who are faithful to the Confederation by a special motion urgently pressed on the Diet."

The discussion was a very violent one. Austria and Prussia were attacked by every speaker in the strongest terms of reprehension for their anti-Federal policy, and in which the ominous consequence of civil war in idea, as well as in plain words, was brought forward as the most probable result of the step which had been so unexpectedly taken by the two Great Powers.

The above modified motion was finally adopted unanimously by the Chamber.

During the course of the discussion Baron Hügel read the declaration which I have the honour to inclose, in translation. In this document his Excellency confirmed the previous policy of the Government on the Schleswig-Holstein question, declared that during the continuance of negotiations on so important a point, he could not make public the views of his Government; and that as they were acting in concert with other German Governments holding similar views, consultation with them was necessary before so important a series of measures was resolved upon as was put forward by the motion under discussion. That the Chamber must understand that this motion tended to nothing less than a civil war, for which the middle and smaller German States were not sufficiently strong, unless they received the assistance of other non-German Powers, and therefore that he could only assure the Chamber that, if the Government should be called upon to form a decision on the points brought forward by the Committee, they were resolved to do so under the recollection of their obligations both to the Diet and the State of Wurtemberg itself, and, in any case, only in the strictest concert with other German Cabinets of the same views; that some steps had already been taken, however, towards placing the military forces of the country in a better condition; and that he had

received accounts of certain communications on the part of the Great Powers being expected which would lessen the apprehensions caused by their declaration of the 14th instant. Finally, that, under these circumstances and considerations, the Government could not agree to the motion which had been, in the first instance, brought forward by Herr Probst and others.

I have, &c.
(Signed) G. J. R. GORDON.

Inclosure 1 in No. 782.

Motion of Herr Probst, in Wurtemberg Chamber of Deputies, for Mobilization of Wurtemberg Army, January 19, 1864.

(Translation.)

IN consideration that the two great Powers, according to their most recent declarations on the Schleswig-Holstein question, appear to refuse submission to the decision of the majority of the Assembly of the Diet; that, on account of this, the States who belong to the majority must be ready on their part to carry out the decisions of the Diet concerning the realization of the rights of Germany in the Duchies; that the decision to be expected in the Succession question will have the result of causing a war between Denmark and the German Confederation; that therefore the defence of German right and the carrying out of the Resolutions of the Diet under such circumstances demand the assistance of all the energies of the States which are true to the Confederation as well as prompt military action, the Undersigned moves that the High Chamber address a pressing appeal to the Royal Government (1) to cause the immediate mobilization of the Wurtemberg Corps d'Armée, and to place a fixed number of troops at the immediate disposal of the Diet for the assurance of the right of the Duchies; (2) by a special pressing appeal to the Diet to cause the same measures to be taken on the part of such States as are true to the Confederation; (3) at the same time to urge in the Diet that the territories of such States, and especially their railways, should not be used for the transport of any troops which may not be called out by the Diet.

Inclosure 2 in No. 782.

Baron Hugel's Declaration in Chamber of Deputies on Jonuary 19, 1864.

(Translation.)

Gentlemen! I have on several occasions had the honour of laying before this Chamber the position taken up by this Government in the Schleswig-Holstein question. The same has met with your frank approval. I therefore believe the less that I shall lay myself open to any founded mistrust if I do not make any declaration on the part of the Royal Government upon the subject of its present conduct.

The motives which enjoin silence are the following:—

It is natural that a Government which is desirous of avoiding every possible cause of exposing itself to the greatest inconveniences should not be expected to express itself beforehand as to that which it imagines may lead to such serious political complications. Already on this account was I not in a position to communicate to the High Chamber what decision the Royal Government would come to with reference to the demand which (according to the pressing motion which has given rise to this day's discussion) was to be addressed to it.

Independent of this, however, I can venture to count upon universal approbation in this Chamber when I lay stress upon the necessity that the Wurtemberg Government should also in the existing stage of the Schleswig-Holstein affair act only in concert with the Governments which are of the same mind as itself. However, you will not fail to perceive that the desired measures are of such a nature that a conscientious Government, while taking into consideration the state of Germany, could not consent to them without the most serious forethought. For it will thereby be an unmistakeable question of war, and not only in truth a war with Denmark, but a civil war, and against a preponderance to which we even in unison with the rest of Germany, without dependence on non-German Powers, could not consider ourselves a match; a result, for the commencement of which, certainly none of us would like lightly to undertake the responsibility.

Inasmuch as from the reasons I have cited I am not in a position to express myself in the name of the Royal Government as to the subject of the pressing motion, I can only

make the assurance that the Government, in the event that a decision must be arrived at, is resolved to arrive at such decision with a full view of all the duties they owe as well to the German Confederation as to our more special country, and in any case only in the most close understanding with German Cabinets holding the same opinions. Moreover, it will be to your satisfaction to learn that the Royal Government, in consideration of the serious state of affairs, has already made arrangements with a view of settling the military forces of the kingdom in such a state that they will instantly be disposable, and the Minister of War will probably shortly be able to make the arrangements thereunto.

I think, finally, that I ought to inform you that I have quite recently learnt of propositions which are to be expected on the part of the great Powers, which will have the result of diminishing the apprehensions which may arise out of the difficulties which have arisen.

From all this, gentlemen, you must be disposed to feel that there are weighty reasons for not proceeding further with the motion of which Herr Probst and his co-mates have given notice.

No. 783.

Earl Cowley to Earl Russell.—(*Received January* 24.)

My Lord, *Paris, January* 23, 1864.

UPON the receipt yesterday of your Lordship's telegram stating that the Danish Government was about to declare to the Governments of England, France, Russia, and Sweden, that the King of Denmark proposed to convoke the Rigsraad with a view of asking the consent of that Body to the abolition of the Constitution of November, and desiring me to inform M. Drouyn de Lhuys that if the French Government would be willing to urge at Vienna and Berlin that a delay of six weeks, to date from the 1st of February, should be given to the Rigsraad to assemble and deliberate, Her Majesty's Government would willingly join in such a demand, I wrote to M. Drouyn de Lhuys the purport of your Lordship's words.

I called upon his Excellency this afternoon after the Council of Ministers had sat, and asked whether he had received from Copenhagen the same intelligence as your Lordship, and what he proposed doing. He replied that he had had no official news from Denmark, but that as he supposed the information received by your Lordship must be correct, and as he entirely agreed in the course suggested by your Lordship, he proposed writing at once to the French Ambassador at Vienna and Berlin, in order that no time might be lost. He would therefore send off his despatches this evening.

I have, &c.
(Signed) COWLEY.

No. 784.

Earl Russell to Earl Cowley.

My Lord, *Foreign Office, January* 24, 1864.

WITH respect to the questions put to your Excellency by M. Drouyn de Lhuys, and contained in your despatch of the 19th instant, Her Majesty's Government instruct you to reply as follows:—

Her Majesty's Government holding the opinion stated by the great Powers in the preamble of the Treaty of May 8, 1852, that the integrity of the Danish Monarchy is not only an element in the balance of power but a security for peace, desire to maintain the integrity of the Danish Monarchy, which is the main object of that Treaty.

Her Majesty's Government are anxious, if possible, to secure that object by peaceable negotiation; but, as I have explained in my despatch of January 5, there are two very different aspects of the dispute between Germany and Denmark.

One party seeks to place the Prince of Augustenburg in possession of the Duchy of Holstein, and subsequently also in possession of the Duchy of Schleswig.

Another portion of the German Confederation, consisting of the great Monarchies of Austria and Prussia, acknowledge the Treaty of 1852, and ask only for the fulfilment by the present King of Denmark of the engagements taken by his predecessor in 1851-52.

The first plan amounts, in the opinion of Her Majesty's Government, to a dismemberment of the Danish Monarchy; and in order to oppose the execution of this plan, Her

Majesty's Government seek for the concert and co-operation of France, Russia, and Sweden, in order to give, if necessary, material assistance to Denmark in the resistance of such dismemberment.

The plan of Austria and Prussia seems to contemplate the fulfilment by Denmark of certain engagements compatible with the independence and integrity of Denmark, and it would only be in the case that Denmark should fulfil all these engagements, and that further demands should be made upon her by the German Powers, that serious complications might arise.

This case, it is to be hoped, can hardly be supposed to be probable. But Her Majesty's Government do not wish to exclude it, if it should occur, from the joint consideration of the Powers whom they invite to enter into concert with them. It seems, however, to Her Majesty's Government that if a thorough good understanding can be established upon these matters between Great Britain, France, Russia, and Sweden, the moral effect of such a union would of itself be sufficient to accomplish the purposes in view.

Your Excellency's answer to M. Drouyn de Lhuys respecting the events of 1830-31 in Belgium was quite accurate. In Belgium the people rose and got possession of the capital. In Holstein and in Schleswig the accession of the present King was peacefully accomplished. It was not till the German troops entered Holstein and protected and encouraged insurrectionary movements, that opposition to the rule of Christian IX was manifested; nor was it till numerous Democratic Agents of the German National Verein swarmed into the Holstein villages that the rural population showed any indisposition to the Government of the King of Denmark. Even now the inhabitants of the villages show little inclination voluntarily to swell the democratic flood of German invasion.

There is every reason to suppose that were the German troops removed from Holstein the authority of Christian IX would be restored with ease and tranquillity.

I am, &c.

(Signed) RUSSELL.

No. 785.

Earl Russell to Earl Cowley.

(Extract.) *Foreign Office, January* 24, 1864.

THE Ambassador of France came to the Foreign Office on the 22nd, and read to me a despatch of M. Drouyn de Lhuys addressed to the Duc de Gramont.

The Prince de la Tour d'Auvergne read also a despatch in which he was directed to inquire of me whether the despatch of Her Majesty's Government of the 18th instant alluded to material or only to moral support to be given to Denmark.

I answered that it alluded to material support, but that I would define the cases in which such a support should be given in a despatch* which I had prepared for the Cabinet to be afterwards submitted for the sanction of the Queen.

No. 786.

Earl Russell to Lord A. Loftus.

My Lord, *Foreign Office, January* 24, 1864.

BARON CETTO came to me a few days ago, and read to me a despatch of his Government.

In this despatch Baron Schrenk declines, on the part of Bavaria, the proposal of a Conference. He says that a decision must first be arrived at on the subject of the Duchy of Holstein. The claim of the King of Denmark to be Duke of Holstein was defective on three grounds:—the arrangement made by the late King had not the consent of the Agnates, or of the Diets of Holstein and Schleswig, or the sanction of the German Confederation.

I said that with regard to the first, the Duke of Augustenburg had promised for himself and his family not to disturb the arrangement for the Succession made by the late King, and had received a large sum of money in consequence of that waiver.

In regard to the second, the Diet of Holstein was a Body created since 1815, and had no attribute to dispose of the Succession to the Duchy.

* See No. 784.

In regard to the German Confederation, neither the Act of 1815, consented to by all the Powers of Europe, nor the Final Act of 1820, which was simply an internal ministerial act, gave the German Diet the least pretence to interfere with the Succession to the Crown of Denmark, nor to the Duchies of Holstein, Lauenburg, and Schleswig.

That Succession had been settled duly, legally, and publicly, by the late King of Denmark. The Diet of Germany had not protested against that settlement.

The Great Powers of Europe, namely, Austria, France, Great Britain, Prussia, and Russia, had recognized that Succession by the Treaty of 1852, just as by the Treaty of Utrecht, the Duke of Anjou, and not the eldest grandson or great grandson of Louis XIV, was recognized as King of Spain. These were matters of European interest, and did not resemble the inheritance of a private estate.

I gave answers similar in substance to Count Vitzthum, who came to me on the part of Saxony. But I could not say to him, what I said to Baron Cetto, that his Government had been consistent throughout.

I am, &c.
(Signed) RUSSELL.

No. 787.

Lord Napier to Earl Russell.—(*Received January* 24.)

My Lord, *St. Petersburgh, January* 18, 1864.

IN obedience to your Lordship's orders, conveyed to me by your telegraphic despatch of the 17th instant, I have requested Prince Gortchakoff to co-operate with Her Majesty's Government at Copenhagen, with the view of obtaining the convocation of the Danish Parliament and the repeal of the recent Fundamental Law by that Body.

The Vice-Chancellor stated his apprehension that the advice of the two Cabinets would be tendered in vain; nevertheless, in the interest of peace, he would not decline to unite his good offices with those of Her Majesty's Government for this purpose. His Excellency then, in my presence, addressed a telegraphic instruction to M. de Nicolai, directing him to co-operate with Sir A. Paget for the object stated above.

I have, &c.
(Signed) NAPIER.

No. 788.

Lord Napier to Earl Russell.—(*Received January* 25.)

(Extract.) *St. Petersburgh, January* 20, 1864.

THE Russian Minister at Berlin has reported to Prince Gortchakoff that M. de Bismarck has distinctly stated to him that the occupation of Schleswig by the forces of Austria and Prussia is undertaken with a view to the maintenance of the Treaty of 1852 for the integrity of the Danish Monarchy.

The same assurance has been given by Count Rechberg to the Russian Chargé d'Affaires at Vienna.

The Representatives of Austria and Prussia here have not been charged with any formal declaration to that effect.

The Vice-Chancellor has requested Count Redern and Count Guido de Thun to move their respective Governments to make distinct statements to that effect in London, so as to remove the suspicions of Her Majesty's Government.

No. 789.

Lord Napier to Earl Russell.—(*Received January* 25.)

My Lord, *St. Petersburgh, January* 20, 1864.

I HAVE placed in the hands of Prince Gortchakoff a copy of your Lordship's despatch of the 13th instant, defining the bases which Her Majesty's Government desire to establish for the deliberation of the proposed Conference for the regulation of the relations of Denmark and Germany.

The Vice-Chancellor received intelligence at the same time that the suggestions of Her Majesty's Government had been made known to the Cabinet of Vienna, and had been

declined by Count Rechberg. The Vice-Chancellor adverted to this circumstance, and added that, in his opinion, it was impossible to lay down any basis for the Conference, or to attach any conditions to its meeting. The great object was to obtain the meeting of the Plenipotentiaries; once assembled, they would define their objects and their means.

I reminded the Vice-Chancellor that both France and Prussia had attached conditions to their participation in the Conference.

The Prince replied that all that had passed on the subject up to the present time was extremely informal; we might hope that these difficulties would be overcome.

I have, &c.
(Signed) NAPIER.

No. 790.

Sir A. Paget to Earl Russell.—(Received January 25.)

(Extract.) *Copenhagen, January 19, 1864.*

I SPOKE again to Bishop Monrad most seriously respecting the suggestion I had made, by your Lordship's instructions, for convoking the Rigsraad in order to propose to them the repeal of the Convention.

I expressed my disappointment at not finding in the reply to the Austrian and Prussian summons, a copy of which reply had been sent to me by M. Quaade, any mention of the willingness of the Danish Government to have recourse to this measure.

I could hardly believe, I said, that the Danish Government would refuse the advice which was now offered to them by their allies, of calling this Assembly together for the purpose in question, and thus securing the only remaining chance of peace, and if they consented to act upon it, there would be an immense advantage in making their intentions known at once to the Austrian and Prussian Governments. I insisted, therefore, upon the great importance of the Danish Government taking an immediate decision, which might, I said, be communicated to the Austrian and Prussian Ministers for Foreign Affairs, through the Secretaries of the Danish Legations at Vienna and Berlin.

M. Monrad expressed a decided objection to opening fresh communications with the Austrian and Prussian Governments. Moreover, he was of opinion that a later opportunity would occur of stating what were the final intentions of the Government, for he did not look upon the collective note which had just been received as an ultimatum. He considered it more in the light of a pretext to enable Austria and Prussia to get possession of Holstein, and Baron Brenner had, he said, almost admitted as much to him. His impression, therefore, was that before the Austrian and Prussian troops attempted to invade Schleswig, an ultimatum would be sent to Denmark which would afford an opportunity of stating what she intended doing with regard to the Constitution.

"And the difference," I answered, "between this ultimatum and the note you have received will be this. They will give you twenty-four hours instead of forty-eight to reply, and the result of non-compliance will be the immediate invasion of Schleswig instead of the recall of Baron Brenner and M. de Balan." I could not believe his Excellency serious, I added, in an intention of letting matters come to this pass, which would be beyond the reach of any negotiation, particularly after the conciliatory disposition he had evinced in his conversation with Baron Brenner, as related by himself. Every day, every hour, I said, was now precious. Action was required, and immed ate action.

After some further conversation, in which I reminded Bishop Monrad of the hopes he had given me in our last interview of his adopting the course we had suggested, and in which I referred again to the great importance of losing no time, his Excellency took a slip of paper from his pocket-book, and read very nearly to the following effect:—

"Le Gouvernement Danois est prêt à convoquer le Rigsraad afin de lui soumettre une proposition tendante à abroger la Constitution du 18 Novembre, et de la remplacer par une organisation pour la Monarchie basée sur la Patente du 28 Janvier, 1852, élaborée sous les auspices des Puissances amies. Si cette proposition est acceptée le Gouvernement procédera immédiatement aux elections.

"Le Gouvernement s'engage d'employer tous ses efforts et d'exercer toute son influence pour faire voter sa proposition par le Rigsraad; il fera dépendre l'existence du Cabinet sur son acceptation. Mais si le Gouvernement ne réussit pas dans sa tentative, et que sa proposition est rejetée, en se démettant de ses fonctions Ministérielles il accomplira l'engagement pris par lui, mais pas par le Roi, envers l'étranger."

Your Lordship may rely upon it that I listened to the reading of these lines with too much attention not to be sure of their sense, but at my request Bishop Monrad had the goodness to read them again, and I believe that they stand on his Excellency's paper nearly word for word as I have written them down.

I told Bishop Monrad that I considered the intentions of the Danish Government, as here expressed, as nearly satisfactory, but that there was one part which I must earnestly entreated him to alter. As the wording now stood, I observed, it would lead to the impression that the new organization was to be made dependent upon the vote of the Rigsraad, and this, I continued, would be fatal to the whole scheme.

I could not too forcibly impress upon him, I said, that Austria and Prussia never would consent to acknowledge that the Rigsraad, existing in virtue of the Constitution against which they protested, was a competent Body for voting any new arrangement, although they might acquiesce in its being called together for the purpose of self-destruction.

His Excellency replied that he quite saw the objection. He was, therefore, quite ready to alter the wording in the way I had suggested, the more so, as he thought that by some means or other the Government might obtain an authority for substituting the new arrangement for the Constitution, and that it would not be necessary to submit it to the Rigsraad which was to vote the repeal.

I said that, with this alteration, I looked upon his Excellency's declaration as perfectly satisfactory. Bishop Monrad replied that he was glad to hear this, for that he had been almost under an apprehension (a misapprehension he was now convinced it was) from our last conversation that I objected to the Patent of January 1852 being alluded to as the basis of the new organization.

I replied that I was quite at a loss to conceive how anything I had said could have given him this idea, which was so far from correct that I considered the basis of 1852 as the only one which could be taken for a future arrangement, and I referred his Excellency to my letter to show that all I had objected to in the idea he had mentioned in our last interview, was the making the new organization dependent on the vote of the Rigsraad elected in virtue of the Constitution of the 18th of November.

Bishop Monrad said that in this case we perfectly understood each other.

I replied "Perfectly," and I then asked his Excellency what form he intended to give to the declaration he had read to me. His Excellency said he thought it might be drawn up in that of a note to be addressed to me, in answer to the representations I had made on the part of Her Majesty's Government; but he must speak, he said, to M. Quaade, with whose attributions he had no wish to interfere on this subject, and leave to him to decide as to the proper form of communication. In fact, he must request me not to consider anything that passed in our interviews as binding or official until I should hear from M. Quaade, who was the proper channel for communication between the Danish Government and foreign Ministers. His Excellency promised, however, to see M. Quaade immediately, and to put the affair in proper train without loss of time.

Having repeated in the course of his final observations that a further direct communication could not be made to Austria and Prussia now that diplomatic relations were broken off, I said in that case I was strongly of opinion that the intentions of the Danish Government should be formally announced to the Governments of France, Russia, and Sweden, as well as to Her Majesty's Government. As far as Her Majesty's Government were concerned, I ventured to take upon myself the responsibility of saying, I felt sure they would bring the Danish communication to the knowledge of the Austrian and Prussian Governments, and would spare no efforts to induce them to agree to the line of action proposed, with which assurance Bishop Monrad expressed much satisfaction.

I should fail in my duty if I concluded this despatch without putting on record my sense of the conciliatory disposition which has been evinced by Bishop Monrad throughout these transactions; indeed, since he has been at the head of the Government. He has been from the first evidently most desirous of following the advice of Her Majesty's Government—of adopting, in short, any course which might tend to the preservation of peace. His Excellency has taken in this respect a broad and statesman-like view of the interests of his country; but he has had to weigh well the difficulties of the interior position and his power of overcoming them. Before undertaking measures for the repeal of the Constitution of the 18th of November he had likewise to consider by what that Constitution was to be replaced,—"pour ne pas tomber dans le vide," to use his Excellency's own expression. Having arrived at a determination on this point, he has come forward manfully and in the most straightforward manner to declare his intentions; and, that there may be no doubt as to his sincerity, he makes the existence of the Cabinet dependent on the success of their measures.

It may also not be out of place here briefly to refer to what has been done by the Danish Government during the last few months at the instance of their allies and in the interest of peace.

They at first modified and finally withdrew the Royal Patent of the 30th of March;

at the suggestion of M. de Bismark, they took a formal engagement to abolish the Normal Budget for Holstein, so that that Duchy would not have had one dollar to contribute to the common expenses of the Monarchy which its representatives had not freely voted; they withdrew their troops from Holstein, under the supposition of course that the Diet was acting in good faith, and that a revolution would not be permitted, still less connived at; they made an appeal for mediation on the understanding that the *status quo* was to be maintained, but this having failed, they now come forward and in the most stringent and unambiguous language pledge themselves to take the only legal means in their power to revoke a measure which has become the law of the land, and which has unquestionably taken deep root in the hearts of the people.

What, on the contrary, has been the line pursued by the German Governments during the same period? Have they shown any disposition to be conciliatory—to make even the smallest allowance for the difficulties in which the new Sovereign of this country is placed, or to follow the advice of friendly Powers? They have, on the contrary, systematically rejected every concession of the Danish Government as unsatisfactory; they have, in the face of the decrees of the Diet, and in violation of good faith, usurped the dominions of His Danish Majesty, and have entirely disregarded the representations which have been addressed to them for the preservation of peace.

For the Constitution of the 18th of November neither His present Majesty nor his Ministry are responsible. It received, it is true, the King's signature, but the reasons for this are well known, and a better proof of His Majesty's sentiments respecting it cannot be required than the change of Ministry which has taken place. This Ministry cannot, any more than another, violate the law by a *coup d'état*, but they have taken the most solemn engagement to get rid of the measure objected to by the only means at their disposal, and they at the same time declare their readiness to replace it by one based on the engagements of 1851-52.

Such is a correct account of the conduct pursued by the respective parties in this controversy, and if this last offer of the Danish Government is rejected by Austria and Prussia, it will, I think, be difficult to come to any other conclusion than that these Powers, like the rest of the German Confederation, are determined on rejecting every conciliatory overture, and are only to be satisfied by a dismemberment of the Danish Monarchy. Allowances have certainly to be made for the pressure under which the Austrian and Prussian Governments are acting; but if they expect their difficulties to be taken into account, they should on their side have some consideration for those of the Danish Government. In any case, it seems contrary to justice that Denmark should have to suffer for the excitement of public opinion in Germany.

No. 791.

Sir A. Paget to Earl Russell.—(*Received January* 25.)

(Extract.) *Copenhagen, January* 21, 1864.

INSTEAD of the intentions of the Danish Government respecting the convocation of the Rigsraad being made known to the Representatives of England, France, Russia, and Sweden here, it has been decided to address despatches to the Danish Representatives in those countries, with orders to communicate them officially to the respective Ministers for Foreign Affairs.

The despatches will refer to the last communication of the Danish Government asking mediation, and the step now taken will, I believe, be grounded on the supposed fact of the last proposal having failed. The object of the Danish Government in addressing the Powers is to induce them to use their good offices with Austria and Prussia, so as to prevent those Powers from having recourse to coercive measures until the Danish Government has been enabled to carry out the plan of action they propose.

The moment the Danish Government are reassured that the convocation of the Rigsraad will not be resented by Austria and Prussia, they will, without any loss of time, order the elections to take place. It is simply a precaution which they wish to take against being accused of an act of defiance, and also because they are averse to incurring the responsibility of so important a measure, without a prospect of obtaining a useful result.

In reply to an inquiry I addressed to M. Quaade as to what was the precise meaning of the Danish Government when they spoke of a new arrangement being drawn up under the auspices of foreign Powers, whether, in short, it was their intention that this arrangement should be the result of Conferences, or whether they intended themselves

to draw up a plan and submit it to the appreciation of the friendly Powers and of Austria and Prussia, his Excellency stated that the Danish Government was quite indifferent as to the manner by which such an arrangement was to be arrived at. They were perfectly ready to negotiate on the subject with Austria and Prussia through the mediation of all of the other Powers who signed the Treaty of London, or through one of them, or they were willing to go into a Conference or Congress; the form mattered nothing, provided the result could be obtained. They were already provided with a basis for an arrangement, namely, that of the engagements of 1851-52, and the Treaty of London, which were both intended to maintain the integrity of the Danish Monarchy. Denmark had been accused, he said, of violating the engagements of 1851-52, and he did not intend to defend the Constitution of the 18th of November as being in accordance with them, but an impartial verdict had never been pronounced upon the interpretation to be put upon these engagements.

This was what the Danish Government desired. They wished to fulfil their obligations, to avoid war, and to preserve the independence and integrity of the Monarchy.

No. 792.

Sir A. Paget to Earl Russell.—(*Received January* 25.)

My Lord, *Copenhagen, January* 21, 1864.

I HAVE the honour to inclose herewith a copy of a despatch of this day's date from the Danish Minister for Foreign Affairs to the Danish Minister in London, which I have received from M. Quaade, containing a declaration of the readiness of the Danish Government to convoke the Rigsraad with the least possible delay, in order to propose to it the repeal of the Constitution of the 18th of November, and stating that the Cabinet pledge themselves to do all in their power to obtain the consent of the Rigsraad to their proposal and to withdraw from office if it is rejected.

Despatches of similar purport go by to-night's post to Paris, St. Petersburgh and Stockholm.

I have, &c.
(Signed) A. PAGET.

Inclosure in No. 792.

M. Quaade to M. de Bille, January 21, 1864.

[See No. 813.]

No. 793.

Sir A. Buchanan to Earl Russell.— (*Received January* 25.)

(Extract.) *Berlin, January* 20, 1864.

I AM told that the King has written to the Prince of Augustenburg reproaching Highness with having disregarded the advice given to him by His Majesty on his put forward his claim to the sovereignty of Holstein.

No. 794.

Sir A. Buchanan to Earl Russell.—(*Received January* 25.)

My Lord, *Berlin, January* 20, 1864.

IN conformity with the instructions conveyed to me in your Lordship's despatch of the 18th instant, I have addressed to M. de Bismarck a note of which a copy is inclosed, informing his Excellency that as Her Majesty's Government have been informed that the Governments of Austria and Prussia have addressed a threatening summons to Denmark, I have been instructed to ask his Excellency for a formal declaration on the part of the Prussian Government, that it adheres to the principle of the integrity of the Danish Monarchy.

I have, &c.
(Signed) ANDREW BUCHANAN.

Inclosure in No. 794.

Sir A. Buchanan to M. de Bismarck.

Berlin, January 20, 1864.

THE Undersigned, Ambassador Extraordinary and Plenipotentiary of Her Britannic Majesty, has the honour to acquaint his Excellency M. de Bismarck-Schönhausen, the Minister for Foreign Affairs of His Majesty the King of Prussia, that the Government of the Queen his august Sovereign having been informed that the Governments of Austria and Prussia have addressed a threatening summons to Denmark, he has been instructed to ask for a formal declaration on the part of the Prussian Government that it adheres to the principle of the integrity of the Danish Monarchy.

The Undersigned, &c. (Signed) ANDREW BUCHANAN.

No. 795.

Sir A. Buchanan to Earl Russell.—(Received January 25.)

My Lord, *Berlin, January* 22, 1864.

I TOOK an opportunity yesterday of stating to M. de Bismarck, that in the opinion of Her Majesty's Government the proceedings of Austria and Prussia at Frankfort, on the 14th instant, have entirely changed the state of affairs in the Danish question, and that Her Majesty's Government will now expect Austria and Prussia to defend the integrity of the Danish Monarchy and to limit their demands on the Danish Government to the fulfilment of the engagements of 1851-52.

M. de Bismarck said their doing so, however, would depend upon whether Denmark resisted the intended occupation of the Duchy of Schleswig.

I have, &c.

(Signed) ANDREW BUCHANAN.

No. 796.

Sir A. Buchanan to Earl Russell.—(Received January 25.)

My Lord, *Berlin, January* 23, 1864.

I HAVE had the honour to receive yonr Lordship's despatch of the 18th instant, by which I have been instructed to state to M. de Bismarck the opinions entertained by Her Majesty's Government as to the danger to peace and to the independence of States of the principle and practice of one Government occupying the territory of another as a material guarantee for the obtainment of international demands.

In speaking to M. de Bismarck in the sense of your Lordship's despatch, I read at the same time the greater part of it to his Excellency in order to convey to him more clearly the sentiments of Her Majesty's Government, and I shall not fail to hold the same language to the King if His Majesty affords me a suitable opportunity for doing so.

I have, &c.

(Signed) ANDREW BUCHANAN.

No. 797.

Sir A. Buchanan to Earl Russell.—(Received January 25.)

My Lord, *Berlin, January* 23, 1864.

I HAVE the honour to transmit to your Lordship herewith in translation the King's reply to the address presented by the House of Nobles on the 21st ultimo, relative to the loan and to the policy of Prussia in the Schleswig-Holstein question.

The debates in the Lower Chamber in reference to the loan were brought to a close yesterday.

I will send your Lordship a report on these debates by the post, as there is no time to get one ready by to-day's messenger.

I have, &c.

(Signed) ANDREW BUCHANAN.

Inclosure in No. 797.

Reply of the King of Prussia to the Address of the House of Nobles.

(Translation.)

I HAVE received the Address of the House of Nobles dated the 21st of December, and have read its contents with satisfaction.

The objects for which the loan is asked are correctly described in the Address as being partly the fulfilment of certain definite Federal duties for the fulfilment of which the necessary means cannot be refused, partly the maintenance of Prussia's power and honour against any and every attack.

That the House of Nobles looks with perfect confidence to the solution of the tasks which at present occupy the policy of Prussia, so long as this solution lies in the King's hands, I have never doubted. But the renewal of this assurance has been pleasant to me at a time when serious and portentous decisions are required of me. I am convinced that the country, which knows my views, will share in this confidence.

The House of Nobles is led by the correct feeling that in the face of threatening complications the paths of policy cannot be determined beforehand, and that questions of right and international relations cannot be settled by wishes and sympathies, however natural the latter may be; but that if the object on which all are united, namely, the defence of the rights of Germany and of the honour and power of Prussia, is to be attained, it is absolutely necessary that we should be prepared for every eventuality.

I return to the House of Nobles my best thanks for their confidence and support, and I cannot but indulge the hope that in both Houses of the Landtag the devotion to the common cause of the country will be sufficiently strong to drive into the background every consideration connected with home differences, and to cause a unanimous resolution to grant to my Government the means necessary for the fulfilment of the task which devolves upon it.

Berlin, January 13, 1864.

(Signed) WILLIAM.

(Countersigned) THE MINISTRY.

No. 798.

Sir A Buchanan to Earl Russell.—(*Received January* 25.)

My Lord, *Berlin, January* 23, 1864.

AT an interview which I had to-day with M. de Bismarck, I acquainted him with the substance of your Lordship's despatch of the 20th instant on the subject of the effect which a war with Denmark would have on the engagements of Austria and Prussia to maintain the integrity of the Danish Monarchy; and he observed with respect to the results of such a war that if it cancelled the existing Treaty, another Treaty might be concluded of a more complete nature on the same basis of the integrity of the Monarchy, unless the war, by the intervention of the other States, assumed proportions which would entitle Austria and Prussia to demand concessions commensurate with the sacrifice of blood and treasure which they might have been obliged to make. Her Majesty's Government, however, I replied, consider that Austria and Prussia, since they have taken this question into their own hands, can require nothing from Denmark beyond the fulfilment of her engagements of 1851-52, whereas they now, from his Excellency's observations, appeared to contemplate asking an indemnity for their sacrifiees in a war which Her Majesty's Government consider unnecessary. He said such a claim would, however, be just if foreign aid to Denmark should enable her to protract her resistance. But, I said, Her Majesty's Government do not admit that war with Denmark will relieve Austria and Prussia from the obligations which they have contracted towards England, France, Russia, and Sweden, and other Powers of Europe, by the Treaty of London.

His Excellency replied that he could not accept this opinion of Her Majesty's Government as correct, but if foreign Powers did not afford assistance to Denmark the eventuality of a protracted contest was not likely to occur.

I have, &c.

(Signed) ANDREW BUCHANAN.

No. 799.

Sir A. Buchanan to Earl Russell.—(*Received January* 25.)

Extract.) *Berlin, January* 23, 1864.

A GENTLEMAN who has many relations and connections in Holstein, expressed n intention to me some days ago of visiting the Duchy, and of communicating with some f the principal persons there who are known to be attached to the maintenance of the ynastic union of the Duchy with Denmark.

This person, who returned to Berlin to-day, has brought me a very bad report of the tate of things in the Duchy, no one in the larger towns daring to express opposition to he dominant opinions of the day, or to expose himself and his property to the consequences f displeasing the masses.

No. 800.

Lord Bloomfield to Earl Russell.—(*Received January* 25.)

My Lord, *Vienna, January* 21, 1864.

I HAVE taken the opportunity of an interview which I have just had with Count Rechberg, to read to his Excellency your Lordship's despatch of the 18th instant, in which you instruct me to represent to the Austrian Government the extreme injustice and danger of the principle and practice of taking military possession of the territory of a State as a material guarantee for certain unfulfilled engagements.

Count Rechberg does not hesitate to admit the justice of the reasoning in your Lordship's despatch; but he said that after long and patient negotiations with Denmark, Germany could hardly be accused of haste in adopting the late decisions, and that much as he deplored their necessity he does not see how a precedent dangerous to Austria can be established out of the present proceeding, because it is not her habit to repudiate her Treaty or other engagements, though she does not refuse to admit that there may be occasions when they can be advantageously revised or modified. He alluded to the accusations sometimes brought against Austria for holding too strictly to her engagements, and as it has been always her principle to uphold them, surely she had a better right to claim the observance of those which were contracted by Denmark towards Germany eleven years ago, and have remained unfulfilled to this day.

I have, &c.
(Sigced) BLOOMFIELD.

No. 801.

Lord Bloomfield to Earl Russell.—(*Received January* 25.)

My Lord, *Vienna, January* 21, 1864.

I HAVE seen Count Rechberg to-day and read to his Excellency your Lordship's despatch of the 18th instant.* He asked me to leave the despatch with him, and I trust your Lordship will not disapprove of my having done so, as he seemed disposed to reply to it through Count Apponyi.

His Excellency requested me to give some explanation as to the extent and meaning of the concert and co-operation which Her Majesty's Government wished to obtain from Austria in maintaining the engagements of the Treaty of May 1852, and upholding the integrity of the Danish Monarchy.

I replied that I was unable to give any more precise information than that which was conveyed in the despatch which I had just communicated to him.

I have, &c.
(Signed) BLOOMFIELD.

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* No. 741.

No. 802.

Lord Bloomfield to Earl Russell.—(Received January 25.)

My Lord, *Vienna, January 21, 1864.*

WHEN I called to-day on Count Rechberg I took with me the copy of your Lordship's despatch to Sir Augustus Paget of the 18th instant, which I had just received by the messenger Leeds, and read it to his Excellency.

He listened with great attention and interest, and was gratified to know the nature of the last instructions to Her Majesty's Minister at Copenhagen; he seemed to approve of every word in this despatch, and only regretted that it had not been written sooner.

I observed to Count Rechberg that he saw what efforts Her Majesty's Government were making to obtain the desired concessions from Denmark, and I asked if something could not be done to prevent the too rapid advance of the Austrian and Prussian troops upon Schleswig, so as to give Denmark as much time as possible. This, he said, was no longer possible, and the army would be on the Eider in the first days of February. I asked if there would not be some other formality in the shape of a summons to the Danish Government. He replied that the summons had been already delivered at Copenhagen, and the next step would probably be a communication of Field-Marshal Baron Wrangel to the Danish General calling on him to retire. If, in the face of the superior forces that would be brought up, the Danish troops were ordered to retire a collision would be avoided; otherwise he feared one would take place, and he could only repeat what he had frequently said before, that he trusted a sanguinary conflict might be avoided which would have no other effect than rendering future negotiations more difficult.

I have, &c.
(Signed) BLOOMFIELD.

No. 803.

Sir H. Howard to Earl Russell.—(Received January 25.)

My Lord, *Hanover, January 22, 1864.*

COUNT PLATEN received on the 20th instant a note from M. Samwer, the so-called Minister for Foreign Affairs of the Prince of Augustenburg, as Duke of Schleswig-Holstein, acknowledging on the part of the Prince the Resolution of the Diet, by which the Federal Execution in Holstein was instituted, denying that the Prince by taking up his residence in that Duchy has any intention of interfering with the Government of the Federal Commissioners, and contending that his presence in Holstein, so far from interposing any difficulties in their way, is rather calculated to be of assistance to them.

At the same time M. Samwer sets forth that the prolongation of the Federal Administration can only be attended with prejudicial consequences, and he accordingly urges the Hanoverian Government to exert their influence in order that the Princes rights may be recognised without delay, and that the Government of what M. Samwer terms his Highness's dominions may be speedily be made over to him.

I need hardly state that Count Platen does not intend to take any notice of M. Samwer's communication.

I have, &c.
(Signed) HENRY F. HOWARD

No. 804.

Sir H. Howard to Earl Russell.—(Received January 25.)

(Extract.) *Hanover, January 22, 1864.*

I LEARNT from Count Platen to-day that the first part of the Report of the Bavarian Envoy at Frankfort, M. von der Pfordten, relative to the Danish Succession question, had come under consideration in the Committee of the Diet for the affairs of Holstein, and would probably be brought for discussion before the Plenary Assembly next week.

His Excellency informed me that the purport of the Report was that the Diet not having acknowledged the Treaty of London of the 8th of May, 1852, the latter had no binding effect for the Confederation, and consequently that there was no motive for admitting the Danish Envoy to a seat in the Assembly on the ground of that Treaty; and moreover that the Diet was not at present in a position to accede to the Treaty. Under these circumstances the Committee should be charged to examine the question of the Succession in Holstein.

No. 805.

Sir H. Howard to Earl Russell.—(*Received January* 25.)

My Lord, *Hanover, January* 22, 1864.

PRINCE YSENBURG, the Prussian Minister at this Court, gave to Count Platen two days ago, explanations similar to those contained in the declarations of the Austrian and Prussian Envoys in the sitting of the Diet, of the 19th instant, setting forth that the Governments of Prussia and Austria, in proceeding to carry out on their own account the measures in respect to Schleswig which they considered indispensable for the protection of the rights of the German Confederation, had no intention of interfering with the further arrangements which had been made by the Diet in virtue of the Resolutions of the 7th and 14th ultimo in respect to the occupation and administration by way of Execution of the Duchies of Holstein and Lauenburg.

M. de Bismarck's despatch to Prince Ysenburg containing these explanations was of a confidental nature, and a copy of it was not communicated to Count Platen. It is, however, the same which was read by M. de Bismarck in the sitting of the Prussian Chamber of Deputies of the 21st instant, and in which his Excellency puts forward as a possible solution, the plan of a personal union of the Duchies of Schleswig and Holstein (and I conclude of Lauenburg also), with Denmark after the manner of the union existing between Norway and Sweden.

I have, &c.

(Signed) HENRY F. HOWARD.

No. 806.

Sir H. Howard to Earl Russell.—(*Received January* 25.)

My Lord, *Hanover, January* 22, 1864.

ACCORDING to the public journals, the Oldenburg Legislative Chamber adopted on the 18th instant Resolutions urging the Government of the Grand Duke to acknowledge the Prince Frederick of Augustenburg as Duke of Schleswig-Holstein, to exert their influence at the Diet in this sense, and to subscribe 100,000 dollars (15,000*l.*) to the loan set on foot by the Prince.

The Duke of Brunswick was the object, a few days ago, of a grand popular ovation in his capital, in acknowledgment of the course which he has adopted at the Diet in the Schleswig-Holstein question.

I have, &c.

(Signed) HENRY F. HOWARD.

No. 807.

Sir H. Howard to Earl Russell.—(*Received January* 25.)

My Lord, *Hanover, January* 23, 1864.

THE Prussian Government, within the last few days, applied to this Government to place the Hanoverian troops now forming part of the Federal corps of Execution in Holstein, under the command of Field-Marshal de Wrangel, in order to their being employed in the Austro-Prussian expedition for the occupation of Schleswig.

Count Platen informs me that on the part of the Hanoverian Government he declined this proposal in courteous terms, saying that the Hanoverian troops were under the orders of the Federal commander in Holstein, General de Hake, and must continue so, and that

the Hanoverian Government intended to remain faithful to the Confederation, and would not take any steps calculated to bring about its dissolution.

I should observe also that Count Platen is quite sensible to the danger which Hanover would have incurred, had she accepted the Prussian proposal, of finding herself embarked in a war with Denmark and her ships exposed to capture.

I have, &c.
(Signed) HENRY F. HOWARD.

No. 808.

Sir H. Howard to Earl Russell.—(*Received January* 25.)

My Lord, *Hanover, January* 23, 1864.

COUNT REISET, the French Minister, informs me that two days ago he pressed Count Platen for a reply to M. Drouyn de Lhuys' inquiry concerning the views and intentions of the Hanoverian Government in respect to the Conference proposed by your Lordship for the adjustment of the differences between Germany and Denmark, but that his Excellency had stated that, in the present state of affairs, and until it was known what course the German Diet would take on the Succession question, it was not in his power to give an answer.

Count Reiset, in answer to a similar inquiry, has received from M. de Campe, the Brunswick Minister for Foreign Affairs, a note of the 18th instant, declining to vote at the Diet for your Lordship's proposal, on the ground principally that the Conference would interfere with the competent action of the Diet in this matter; that its basis is to be the Treaty of London of 1852, and that from its composition a majority of its members would be in favour of the maintenance of that Treaty.

I have, &c.
Signed) HENRY F. HOWARD

No. 809.

Sir A. Malet to Earl Russell.—(*Received January* 25.)

My Lord, *Frankfort, January* 23, 1864.

THE Diet held an extraordinary sitting yesterday, the result of which I have just learned, and had the honour of summarily reporting to your Lordship by telegraph.

The deliberations of the meeting turned, as I am informed, wholly on the subject of the passage through Holstein of the Austrian and Prussian troops intended to enter Schleswig.

There was, as I am positively told, a majority in the Committee for refusing the passage, but a middle course was decided upon, to avoid the grave consequences of a refusal, and it was arranged to recommend that instructions should be sent to the Federal Commissioners and to the Commander of the Federal force now in Holstein to maintain the civil and military administration in total independence of any other authority.

This course was adopted by the Diet. General Hake, therefore, will not be under the orders of Marshal Wrangel, but, I am told, his orders are so to dispose the Hanoverian and Saxon troops as to come as little as possible in contact with the Austrians and Prussians, and especially to make such dispositions that these forces may occupy the line of the Eider, and all other points on the frontier of Schleswig.

I have, &c.
(Signed) A. MALET.

No. 810.

Sir A. Malet to Earl Russell.—(*Received January* 25.)

My Lord, *Frankfort, January* 23, 1864.

WE have to-day in Frankfort a Holstein Deputation of some 140 persons who arrived last night and will remain here till Monday.

The object of their coming is said to be to present a petition to the Diet requesting them to accelerate the recognition of the Augustenburg Succession.

It is, perhaps, quite as well that the Central Committee here, which is reported to have originated this expedition, should expend their funds in harmless demonstrations of this kind rather than in more mischievous ways.

A public meeting at which the Holsteiners are to be present is advertised for to-morrow (Sunday), at 4 in the afternoon, in which the predominant feelings of the moment on this question will, it is hoped, find a salutary vent.

I have, &c.
(Signed) A. MALET.

No. 811.

Sir A. Malet to Earl Russell.—(Received January 25.)

My Lord, *Frankfort, January 23, 1864.*

THE intelligence I have gathered as to the Succession question is, that there is a majority in the Committee for recommending the Diet to recognize the hereditary rights of Prince Frederick of Augustenburg as Duke of Schleswig-Holstein.

I am at the same time assured that M. von der Pfordten (who will probably draw up the Report), although inclined to recognize the Prince's legal right to Schleswig as well as Holstein, hesitates to take the step for which some of his colleagues are not only prepared, but eagerly advocating, of asking the Diet to take the requisite measures for putting the Prince in possession of both Duchies.

I have, &c.
(Signed) A. MALET.

No. 812.

Earl Russell to Lord Napier.

My Lord, *Foreign Office, January 25, 1864.*

THE despatch to Lord Cowley, of which I inclose a copy,* will enable your Excellency to reply to the question which, in your telegram of yesterday, you represent Prince Gortchakoff to have put to you as to the exact meaning attached by Her Majesty's Government to the terms "concert" and "co-operate," made use of in my despatch to your Excellency of the 18th of January.

The proposal which Her Majesty's Government have made to the Governments of France, Russia, and Sweden, may be stated in general terms to amount to a proposal that the two Powers should give material assistance to Denmark in the event of the integrity of the Danish Monarchy being assailed by Germany.

This proposal, however, does not go to the extent of affording material assistance to Denmark in the event of the demands made on her by Austria and Prussia being restricted to the fulfilment by Denmark of the promises that she made to those two Powers in the years 1851-52.

But if Denmark should comply with those demands, and Austria and Prussia should nevertheless persist in carrying on war against Denmark after such compliance, a new case would be created which would require further consideration.

I think it right to add that the invitation to "concert and co-operate" for this maintenance of the integrity of the Danish Monarchy has not been confined to the Governments of France, Russia, and Sweden, but has been addressed also to the Governments of Austria and Prussia.

I am, &c.
(Signed) RUSSELL.

No. 813.

M. Quaade to M. de Bille.—(Communicated to Earl Russell by M. de Bille, January 26.)

Monsieur, *Copenhague, le 21 Janvier, 1864.*

LA perspective d'une négociation sérieuse, malgré les chances que cette dernière offrirait en faveur d'une solution pacifique, ne semble pas avoir eu l'effet désiré sur les

* No. 784.

déterminations des deux Grandes Puissances Allemandes. Le renouvellement au sein de la Diète de Francfort de leur proposition relative au Slesvig et l'ouverture qu'elles nous ont adressée le 16 de ce mois prouvent plutôt l'intention de ne pas s'arrêter même devant une crise des plus préjudiciables.

Cependant, dans cet état de choses si peu rassurant, il nous a été proposé une combinaison qui m'a fait concevoir encore une fois l'espoir que la question qui nous occupe pourrait être ramenée dans une voie plus satisfaisante. D'ordre de son Gouvernement Sir A. Paget m'a fait savoir qu'il y a lieu de croire que les Cabinets de Berlin et de Vienne, tout en insistant sur l'abrogation de la Constitution de 18 Novembre, 1863, s'abstiendraient pourtant d'attaquer la Duché du Slesvig, si le Gouvernement du Roi déclarait vouloir convoquer le Rigsraad dans le but de réaliser leur demande dans la voie légale.

Lord Russell a fortement engagé le Gouvernement du Roi à se décider à cette mesure et le Baron de Nicolay s'est associé aux représentations faites par l'organe de Sir A. Paget. Les Cabinets de Paris et de Stockholm nous ont constamment conseillé d'éviter autant que possible l'éventualité d'une guerre, et je ne saurais donc douter qu'ils n'approuvent également une nouvelle démarche de notre part dans le but précité.

Par ces considérations le Gouvernement du Roi n'a pas cru devoir hésiter à faire la déclaration suivante: le Cabinet actuel est prêt à convoquer le Rigsraad dans le plus bref délai pour lui soumettre un projet de loi tendant à abolir la Constitution du 18 Novembre. En même temps cette Constitution sera remplacée par un ordre de choses conforme aux dispositions de l'Ordonnance du 28 Janvier, 1852, telles que ces dispositions auront été interprétées d'avance de concert avec le Gouvernement du Roi dans des négociations à poursuivre sous les auspices des Puissances étrangères. Si cette idée est accueillie, le Cabinet procédera immédiatement aux élections, il appuiera de toute son influenee le projet de loi au sein du Rigsraad, et il engage dès à présent sa propre existence à le faire voter. Si le Cabinet échoue dans cette tentative, il se retirera, en remplissant par sa démission l'engagement pris par cette déclaration.

Cette déclaration, qui a déjà préalablement été portée à la connaissance de Sir A. Paget, je vous prie, Monsieur, de vouloir la communiquer à Lord Russell, en faisant part à son Excellence de la présente dépêche. J'aime à espérer que ce Ministre appréciera à sa juste valeur la concession importante à laquelle le Gouvernement du Roi vient de se décider. Cette concession est d'autant plus grande qu'elle ne sera pas, nous le prévoyons, favorablement accueillie par le pays; mais elle est due à l'ouverture faite au Gouvernement du Roi par le Ministre d'Angleterre, et nous avons la confiance que le Cabinet de Londres saura en faire usage auprès de ceux de Berlin et de Vienne de la manière la plus propre à en assurer le but.

J'ai, &c.
(Signé) G. QUAADE.

(Translation.)

Sir, *Copenhagen, January* 21, 1864.

THE prospect of a serious negotiation, notwithstanding the chances it would offer in favour of a peaceful solution, does not seem to have had the effect desired on the determination of the two Great German Powers. The renewal in the Diet of Frankfort of their proposal with regard to Schleswig, and the overture which they have addressed to us on the 16th instant, prove rather an intention of not being arrested even by the most prejudicial crisis.

Nevertheless, in a state of things so far from reassuring, a combination has been proposed to us which has caused me once more to entertain the hope that the question which occupies our attention may be brought back to a more satisfactory course. By order of his Government, Sir A. Paget has informed me that there is reason to believe that the Cabinets of Berlin and Vienna, while insisting on the abrogation of the Constitution of November 18, 1863, would abstain nevertheless from attacking the Duchy of Schleswig, if the Government of the King were to declare its intention of convoking the Rigsraad for the purpose of realizing their demand in the legal course.

Lord Russell has strongly urged the Government of the King to decide on this measure, and Baron de Nicolay has joined in the representations made through Sir Augustus Paget. The Cabinets of Paris and Stockholm have constantly advised us to avoid as much as possible the eventuality of a war, and I cannot doubt therefore but that they equally approve a fresh step on our part for the purpose above mentioned.

From these motives the King's Government has had no hesitation in making the following declaration:—the present Cabinet is ready to convoke the Rigsraad in as short a time as possible in order to submit to it a project of law tending to abolish the Constitution

of November 18. At the same time this Constitution will be replaced by an order of things in conformity with the provisions of the Ordinance of January 28, 1852, as these provisions may have been interpreted beforehand in concert with the Government of the King in negotiations to be pursued under the auspices of foreign Powers. If this idea is adopted, the Cabinet will at once proceed to the elections, it will support the project of law in the Rigsraad with all its influence, and it stakes its own existence from this moment on having it voted. If the Cabinet fails in this attempt, it will resign and will fulfil by that resignation the engagement taken by this declaration.

I beg you, Sir, to communicate to Lord Russell this declaration, which has already been brought to the knowledge of Sir A. Paget, by imparting to his Excellency the present despatch. I indulge in the hope that that Minister will appreciate at its proper value the important concession on which the King's Government has just decided. That concession is the greater as we foresee that it will not be favourably received by the country; but it is due to the overture made to the Government of the King by the English Minister, and we are confident that the Cabinet of London will know how to make use of it towards those of Berlin and Vienna in the manner most proper for securing its object.

I have, &c.

(Signed) G. QUAADE.

No. 814.

Earl Cowley to Earl Russell—(*Received January* 26.)

(Extract.) *Paris, January* 25, 1864.

BEING confined to the house by indisposition, I requested Mr. Grey to go to the Foreign Office and read your Lordship's despatch of yesterday's date to M. Drouyn de Lhuys.

No. 815.

*Earl Russell to Earl Cowley.**

My Lord, *Foreign Office, January* 26, 1864.

HER Majesty's Government being anxious not to leave untried any chance of averting hostilities between Germany and Denmark, are willing, with the concurrence of the non-German Powers, parties to the Treaty of 1852, to propose to the Governments of Austria and Prussia on the one hand, and to the Government of Denmark on the other, that the Representatives of England, France, Austria, Prussia, Russia, Sweden, and Denmark, in London, should sign a Protocol to the following effect:—

Denmark, on her part, would engage to convoke without delay the Rigsraad, and to lay before that Assembly on its meeting, a proposal that it should revoke the Constitution of November 18, so far as that Constitution applies to the Duchy of Schleswig; and Denmark would further engage that the Danish Government should employ their utmost efforts in order to induce the Rigsraad to consent to such revocation.

Austria and Prussia, on their part, would declare that they accepted the diplomatic engagement so contracted by Denmark, and, as a consequence of such acceptance, would agree to delay the passage of the Eider by any military force until the result of the measures to be taken by Denmark should be ascertained.

Her Majesty's Government are of opinion that an arrangement of the nature which I have now explained would not only afford the best chance of maintaining peace, but would also constitute for Austria and Prussia a valid security that the revocation of that part of the Constitution of November which affects Schleswig would be carried into effect.

You are accordingly instructed to explain to the Government to which you are accredited, the course which Her Majesty's Government think might be adopted with advantage at the present crisis, and you will report to me the result of your communication with the least possible delay.

Her Majesty's Representatives at St. Petersburgh and at Stockholm will receive instructions to the same effect with those now addressed to your Excellency.

I am, &c.

(Signed) RUSSELL.

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* Similar despatches were addressed to Lord Napier and Mr. Jerningham.

No. 816.

Mr. Jerningham to Earl Russell.—(*Received January* 27.)

(Extract.) *Stockholm, Januqry* 19, 1864.

COUNT MANDERSTRÖM said that he was of opinion that it might be injudicious on the part of the King of Denmark to assemble the Rigsraad for the purpose of altering the Constitution of November; that it was to be borne in mind that the Swedish Government had not recommended such a step when advised by England and Russia through Lord Wodehouse and M. Ewers; that, moreover, the ultimatum of Prussia and Austria demanded the withdrawal of the Constitution within forty-eight hours, which expired on the day when he was speaking; that such a demand rendered both the legal and illegal withdrawal impossible, since even a *coup d'état* required time for preparation; and that, were the Danish Government to convoke the Rigsraad for the object in question, the Austrian and Prussian Governments might regard such a step as an additional grievance, since it could assemble only in virtue of the Constitution whose abrogation they insisted on.

I replied; regarding the last point, that the two German Powers could hardly object to the Danish Constitution's being put in operation merely for its own suppression.

Count Manderström added that, though the Rigsraad were not sitting, the Rigsdag, or Provincial States, were, and that their sanction, although of course not sufficient for legality, would naturally much strengthen the hands of the Government if disposed to accept the German ultimatum.

His Excellency reverted to his frequently expressed belief in the impossibility of reasonably satisfying Germany, and observed that, even were the new Constitution abolished, the old grievances would remain, and what was to be done with them?

I remarked in reply, that the time seemed to have arrived when those questions must be definitively settled in some way or other.

His Excellency concluded by saying that he would take the orders of the King this morning respecting your Lordship's proposal, and lose no time in letting me know the result, which is, that his Excellency regrets His Majesty's inability to accept the proposition and that he has telegraphed to Count Wachtmeister upon the subject, as well as written to him for the purpose of explaining the motives of the decision adopted.

No. 817.

Lord Napier to Earl Russell.—(*Received January* 27.)

(Extract.) *St. Petersburgh, January* 27, 1864.

I HAVE communicated to Prince Gortchakoff your Lordship's proposal for the signature of a Protocol in London. His Excellency seems very doubtful as to its acceptance by other Governments, but says that the Russian Government would willingly participate in such a course.

No. 818.

Earl Russell to Lord Bloomfield.

My Lord, *Foreign Office, January* 27, 1864.

WITH reference to your despatch of the 21st instant, reporting that Count Rechberg had asked you for an explanation of the meaning in which the words "concert and co-operation" were employed in my despatch of the 18th instant, I transmit, for your Excellency's information, a copy of a despatch which I have addressed to Her Majesty's Ambassador at Paris,* in answer to an inquiry of the same kind on the part of the French Government.

I am, &c.
(Signed) RUSSELL.

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* No. 784.

No. 819.

Lord Napier to Earl Russell.—(Received January 28.)

(Extract.) *St. Petersburgh, January 22, 1864.*

I HAVE had the honour to communicate to Prince Gortchakoff your Lordship's telegraphic despatch of the 22nd instant, expressing the satisfaction which Her Majesty's Government experience in the agreement which subsists between them and the Russian Cabinet in reference to the inutility of addressing any further remonstrance to the German Diet. The Vice-Chancellor was happy to receive this communication, but his Excellency was not equally satisfied with the proposal contained in the latter part of the despatch that "Austria and Prussia should be urged to give time for the Danish Rigsraad to meet."

The Vice-Chancellor remarked that he had already conveyed an expression of his sentiments on this subject to those Governments, and that he did not see the use of repeating representations of that nature.

No. 820.

Sir A. Buchanan to Earl Russell.—(Received January 28.)

(Extract.) *Berlin, January 24, 1864.*

THE French Ambassador called upon me to-day and informed me that he had received instructions by telegraph to urge the Prussian Government to grant six weeks delay from the 1st of February next to the Danish Government, before proceeding to occupy Schleswig, in order that the Rigsraad might be convoked, and a proposal be submitted to it for the abrogation of the Constitution of November 18, 1863, as far as it relates to Schleswig. M. de Talleyrand said that he had consequently requested an interview with M. de Bismarck this morning, and pressed the proposal of his Government upon his Excellency's attention, who replied that he had received a similar communication from me,* but that it was quite impossible for the Prussian Government to arrest the military proceedings which they had agreed upon with Austria.

He said that it was out of the question that an Austrian and Prussian army should be halted on the banks of the Eider for six weeks in order that an assembly against the legality of which they had protested might discuss the expediency of granting the demand which they had addressed to the Danish Government, and which the Rigsraad was more likely to reject than to sanction. He said the occupation of Schleswig by Austria and Prussia for the purpose of obliging Denmark to fulfil her engagements to Germany of 1851-52, ought to be considered by Great Britain and France as a proof of the intention of the two great German Powers to maintain the Treaty of London and the integrity of the Danish Monarchy.

I shall only endeavour to see his Excellency to-morrow, having thought it better to postpone seeking an interview with him until he should have time to submit my letter of yesterday's date to the King.

In the meanwhile troops are proceeding rapidly to Holstein: his Royal Highness Prince Frederick Charles, who will command the Prussian forces, has already left Berlin; the Austrian General went this morning, and Marshal Wrangel, the Commander-in-chief, will leave to-night.

No. 821.

Sir A. Buchanan to Earl Russell.—(Received January 28.)

My Lord, *Berlin, January 24, 1864.*

I HAD the honour to receive last night your Lordship's telegram of the 23rd instant, instructing me to inform the Prussian Government of the intention of the Danish Government to issue writs for the election of the Rigsraad, and to convoke it immediately for the purpose of considering a proposal to be submitted to it for the repeal of the Constitution of November 18, 1863; and further instructing me to ask the Prussian Government, in order that the necessary time may be afforded for this object, to grant a delay of six weeks from the 1st of February next, before any attempt shall be made to occupy the Duchy of Schleswig. I have therefore addressed a note to M. de Bismarck of

* See No. 821.

which I inclose a copy informing his Excellency of the intentions of the Danish Government, and asking for the delay which has been specified by your Lordship.

I have, &c.
(Signed) ANDREW BUCHANAN.

Inclosure in No. 821.

Sir A. Buchanan to M. de Bismarck.

Sir, *Berlin, January 25, 1864.*

IN conformity with instructions which I have received from Earl Russell, the Principal Secretary of State for Foreign Affairs of the Queen my Sovereign, I have the honour to inform your Excellency that Her Majesty's Government have been informed by Her Majesty's Minister at Copenhagen that the Government of the King of Denmark is ready to convoke the Rigsraad and submit a proposal to it for a repeal of the Fundamental Law of the 18th of November, 1863. I am also to inform your Excellency that the Danish Government will immediately issue writs for the elections for the Rigsraad, and I am to ask the Government of His Prussian Majesty to grant a delay of six weeks from the 1st of February next before any attempt shall be made to occupy the Duchy of Schleswig, in order that the necessary time may be afforded for the meeting of the Rigsraad, and for its deliberations upon the subject which will be submitted to it.

I avail, &c.
(Signed) ANDREW BUCHANAN.

No. 822.

Sir A. Buchanan to Earl Russell.—(Received January 28.)

(Extract.) *Berlin, January 25, 1864.*

AS I asked to see M. de Bismarck this morning, his Excellency was good enough to call upon me during the interval which elapsed between his attending a sitting of the House of Nobles and proceeding to the Palace to close the session of the Landstag, for which purpose the Chambers had received notice to meet at 3 o'clock.

I began our conversation by stating to him that the French Ambassador had acquainted me with the substance of his conversation with his Excellency on the previous day. I said I had regretted to learn that the Prussian Government are not disposed to grant the delay to the Danish Government which Her Majesty's Government had asked for, in order that the Danish Constitution of November 18, 1863, as far as it relates to Schleswig, might be repealed by legal means. His Excellency said that military, and more especially political reasons connected with the position of the Government towards the other States of Germany rendered it impossible for the Prussian Government to grant the delay proposed, and that in replying through Count Bernstorff to my note, he would be obliged to inform Her Majesty's Government that if the occupation of Schleswig by Austria and Prussia was objected to by the other signataries of the Treaty of London, it would be impossible for Austria and Prussia to continue to maintain the stipulations of that Treaty in opposition to the wishes of Germany.

I represented to his Excellency that the Prussian Government by refusing to accede to the proposal which I had been instructed to make to it, would place itself entirely in the wrong. I said it had demanded from Denmark the abrogation of the Constitution; that King Christian IX had therefore dismissed the Minister who had framed that Constitution, and His Majesty had formed a new Government, whose first act had been to propose a mediation or Conference for the settlement of the question, and who were now willing to grant Prussia the satisfaction which she had demanded if time were allowed them to do so without a violation of the law; and I reminded his Excellency at the same time of the danger to which precipitate action on the part of Prussia would expose the Throne of the King of Denmark, of the strong objections which Her Majesty's Government entertained to the practice of occupying territory as a material pledge for the obtainment of international demands, and of the responsibility which the Prussian Government would incur by unnecessarily exposing Europe to the dangers of war by refusing to assent to a measure which the Danish Government were ready to adopt in deference to the recommendations which Her Majesty's Government and other Powers had made to them with a view to the maintenance of peace.

M. de Bismarck said he did not deny that there was much weight in these considerations, but Her Majesty's Government should also remember the difficulties of the Prussian Government, and that they ought to be satisfied if the King would authorize him to give them the assurance which they had asked for as to the maintenance of the integrity of the Danish Monarchy, and when they had received that assurance they ought to induce the Danish Government to permit the peaceable occupation of the Duchy of Schleswig. I said I had already told him that Her Majesty's Government could not advise the King of Denmark to surrender his territory to the occupation of a foreign Power without defending it. But they could abstain themselves, he replied, and discourage other Powers from granting His Majesty assistance, in which case it might be hoped that the military operations would be so far advanced in a month or six weeks that negotiations might be again resumed.

His Excellency observed also, in the course of our conversation, that the Russian Government had not joined Her Majesty's Government in recommending a delay in the military operations of Prussia; but later in the day I learnt from M. d'Oubril that he had received instructions to do so, and had immediately acted upon them. M. de Bismarck, however, gave him the same answer which had been already received by the French Ambassador and myself.

No. 823.

Sir A. Buchanan to Earl Russell.—(Received January 28.)

(Extract.) *Berlin, January* 26, 1864.

IN my telegram of the 22nd instant I mentioned to your Lordship a report which had been communicated to me, that among the demands which will be made on Denmark by Austria and Prussia, there will be one for the annexation of Schleswig, or at least the German part of the Duchy, to Holstein and the territory of the German Confederation, and another for the erection of Rendsburg into a Federal fortress, together with a claim for the payment of the expenses of the present military operations and of the last occupation of Holstein by the troops of Austria. I have endeavoured to ascertain how far this statement, which has been current amongst the Representatives of the smaller German States, is correct, and I have been informed that they have official authority for its correctness.

No. 824.

Lord Bloomfield to Earl Russell.—(Received January 28.)

My Lord, *Vienna, January* 25, 1864.

I MET Count Rechberg accidentally on Friday evening, and mentioned to his Excellency that I had heard from Sir Augustus Paget that the Danish Government were disposed immediately to convoke the Rigsraad and to submit to it a proposal to repeal the Constitution of November 18, and that under these circumstances I trusted the Imperial Government would consider the facility thus afforded of arriving at a pacific solution of the question regarding Schleswig, and would stop the further advance of troops to the Danish frontier, and allow time to the Danish Government to carry out their project.

His Excellency replied that it was now too late; that this should have been done some weeks ago. The troops were now on their march, and the instant revocation of the Constitution, as he had always informed me, was the only course for the Danish Government to have pursued. They knew very well from the communications that have been made to them that half measures would be insufficient, and he stated that their prolonged repugnance to concessions had rendered a departure from the plans laid down entirely impossible.

I urged Count Rechberg to consider the difficulties of the Danish Government and the state of public feeling at Copenhagen, which had prevented the proposed measures from being sooner brought forward, but he was unwilling to enter into any further discussion, and our conversation closed by the expression of his regret that the information I had thought it my duty to give him could not affect the decision of the Imperial Government or retard the movement of the troops towards their destination.

I have, &c.

(Signed) BLOOMFIELD.

No. 825.

Lord Bloomfield to Earl Russell.—(*Received January* 28.)

My Lord, *Vienna, January* 25, 1864.

IN obedience to the instructions contained in your Lordship's telegram of the 23rd instant, I addressed a communication to Count Rechberg yesterday, of which I have the honour to inclose a copy herewith, informing him that the Danish Government were ready to convoke the Risgraad and to submit to it the proposal to repeal the Constitution of the 18th of November, and that Her Majesty's Government hoped the Imperial Government would grant a delay of six weeks from the 1st of February next, to admit of the Rigsraad meeting and deliberating.

I have, &c.

(Signed) BLOOMFIELD.

Inclosure in No. 825.

Lord Bloomfield to Count Rechberg.

M. le Comte, *Vienna, January* 24, 1864.

I HAVE the honour to inform your Excellency that Her Majesty's Minister at Copenhagen has reported to Her Majesty's Government that the Danish Government is ready to convoke the Rigsraad and to submit to it the proposal to repeal the Constitution of the 18th of November.

Her Majesty's Government understand also that the elections for the Rigsraad will be immediately ordered, and in consequence of this intelligence have instructed me to express to the Imperial Government their earnest hope that the Imperial Government will grant a delay to Denmark, and stop all further military proceedings until the expiration of six weeks from the 1st of February next, in order to admit of the Rigsraad meeting and deliberating.

I avail, &c.

(Signed) BLOOMFIELD.

No. 826.

Lord Bloomfield to Earl Russell.—(*Received January* 28.)

(Extract.) *Vienna, January* 25, 1864.

I CALLED on Count Rechberg to-day for the purpose of learning from his Excellency what answer the Imperial Government would make to the communication I had addressed to him yesterday respecting the intentions of the Danish Government to convoke the Rigsraad with a view to repealing the Constitution of the 18th of November.

Count Rechberg said that a communication to the same effect as the one I had made to him had been also received from Paris and that he had already informed Count Apponyi by telegraph and in writing that the Imperial Government could not give Denmark more time, and that it was impossible for them at the eleventh hour to alter their military arrangements.

Count Rechberg said that he was of opinion that the proceedings of Austria and Prussia, whatever might be their appearance if judged by themselves, would, if the state of public feeling in Germany were taken into consideration, be found more advantageous to Denmark than the uncontrolled action of the Diet. He added that the truth was, that Germany had been so often disappointed in the failure of Denmark to fulfil her engagements that the conviction had gained ground that nothing short of compulsion would insure the satisfaction of the demands which Germany had to make upon her. He feared that Her Majesty's Government did not sufficiently recognize the violent excitement of the German public upon this question, nor how impossible it was for a German Government to satisfy the opinions of its subjects without having recourse to an energetic policy which should aim at exercising such pressure upon the Danish Government as would coerce it to fulfil the obligations contracted eleven years ago. He summed up the dangers which he foresaw, if the Imperial Government failed to control the popular agitation in regard

to this question, by stating that a civil war in Germany might be the consequence of any vacillation in the attitude assumed at this moment by the two Great Powers.

His Excellency concluded by saying that he was as anxious as ever to conciliate the goodwill of Her Majesty's Government, and he hoped that the statement which he had made to me would show that the Imperial Government could not, with a due regard to its own safety and to the preservation of peace in Germany, modify the attitude which it had assumed in this question.

No. 827.

Lord Bloomfield to Earl Russell.—(*Received December* 14.)

My Lord, *Vienna, January* 26, 1864.

I HAVE the honour to inform your Lordship that General Bülow, the Danish Minister, who is just recovering from severe illness, received instructions a few days ago from his Government to leave Vienna as soon as the state of his health permitted his doing so without inconvenience, and that he has taken leave of Count Rechberg.

Count Rechberg has expressed to me his regret at the prospect of the early departure of the Danish Minister from Vienna, and appears to have said to him that he hoped the intended occupation of Schleswig might not lead to war, and that General Bülow would earnestly press on his Government the advantage Denmark would derive in future negotiations if hostilities could be avoided. His Excellency appears also to have stated to the Danish Minister that in consequence of the refusal of his Government to agree to the last Austrian and Prussian proposal it would be in vain to expect that the military arrangements would be suspended or the advance of the troops retarded.

M. de Bille, the Secretary to the Danish Legation, will remain here for the present.

I have, &c.

(Signed) BLOOMFIELD.

No. 828.

Sir H. Howard to Earl Russell.—(*Received January* 28.)

My Lord, *Hanover, Janudry* 26, 1864.

THE Prussian Minister at this Court communicated this day to Count Platen a circular despatch of the 24th instant, received by him from M. de Bismarck, inclosing copies of the note addressed by the Prussian and Austrian Ministers at Copenhagen on the 16th instant to M. de Quaade, the Danish Minister for Foreign Affairs, demanding the revocation, by the 18th instant, of the Constitution of the 18th of November last for Schleswig and Denmark, as well as of M. de Quaade's reply of the 18th instant, with both of which documents your Lordship is doubtless already acquainted.

In this despatch M. de Bismarck states, that in consequence of the refusal of the Danish Government to comply with the demand of the two German Courts, the Prussian and Austrian Ministers had broken off their relations with Denmark, and were prepared to leave Copenhagen as soon as the weather permitted, but that the respective Secretaries of Legation would remain there in order to attend unofficially to the business of their Missions.

M. de Bismarck adds that the Governments of Prussia and Austria, with a view to the execution of the measures announced in their note of the 16th instant, had further given orders to their troops to put themselves into motion, in order to their crossing the Eider at the proper moment, for the purpose of occupying the Duchy of Sehleswig.

I have, &c.

(Signed) HENRY F. HOWARD.

No. 829.

Mr. Ward to Earl Russell.—(*Received January* 28.)

(Extract.) *Hamburgh, January* 26, 1864.

THE march of the Prussian troops towards Schleswig has been continued during the last six days through Hamburgh and Lübeck, and the bulk of the Prussian Army of Occu-

pation is now in Holstein. The Commander-in-chief, Field-Marshal Baron de Wrangel, is here, as well as his Royal Highness Prince Albrecht of Prussia, who accompanies the Field-Marshal.

The march of the Austrian forces under Field-Marshal de Gablenz through Hamburgh began on Sunday last, and will go on for some days. The Austrian brigade under General Goudrecourt has quitted this city, and now stands in Holstein.

It is supposed that in eight or ten days' time the combined armies will be ready to enter Schleswig. According to the best information which I can obtain from military authorities here, the strength of the two divisions of the Austrian army is 26 battalions of infantry, 23 squadrons of cavalry, and 90 cannons, in all 34,000 men; and that of the Prussian army (both divisions) is very nearly equal, so that the strength of the combined armies may be taken at 68,000 men; to which, in case of need, the Federal Army of Execution in Holstein, 12,000 strong, might possibly be added, making a total of 80,000 men. Against this large German army, Denmark would not be able, as is said here, to oppose a force of more than from 35,000 to 40,000 men; but the Danes will have great advantages from the nature of the country, and from their long lines of the Dannewerke and other entrenchments.

The chief event of the last week in Holstein has been the departure of a national deputation for Frankfort, bearing an Address to the Diet, which prays for the speedy recognition by that Body of the title of the Duke Frederick of Augustenburg. The Deputation comprised members of all the classes of society, viz., the nobility, clergy, citizens, and peasantry, but the latter were more numerously represented than any other class. The Deputation, as it left Hamburgh, consisted of 230 members, inhabitants of Holstein, or former residents in the Duchy.

There are now six members of the Equestrian Order, and large landed proprietors, who have taken no part in either the above-mentioned Deputation, or in any other demonstrations in favour of the Duke of Augustenburg, but either hold themselves neutral, or are favourable to the principle of a personal union of the Duchies with Denmark. These are Count Blome (Salzau), Baron Blome (Heiligenstedt), Count Reventlow-Faroe, Baron Scheel-Plessen, and the two Counts Reventlow-Criminil, father and son.

No. 830.

Sir A. Malet to Earl Russell.—(*Received January* 28.)

My Lord, *Frankfort, January* 26, 1864.

I HAVE the honour to annex a translation of the petition which the deputation of Holsteiners whose arrival in Frankfort was reported in my despatch of the 23rd instant, have prepared for presentation to the Diet.

Two members of the deputation waited on the President of the Diet to place the petition in his hands, but his Excellency declined to receive them otherwise than separately, and explained to them that the petition must be presented to him to be laid before the Diet by an Advocate instructed to support its prayer.

This, as I learn, has now been done by a duly-qualified person, named Dr. Fetzer, and the document will be presented to the Diet at their next sitting.

The translation has been made by Mr. Mitford.

I have, &c.

(Signed) A. MALET.

Inclosure in No. 830.

Address from the Schleswig-Holstein Deputation to the Diet.

(Translation.)

High Diet,

THE people and country of Holstein have fulfilled their duty to the fatherland with hearty endeavours. Our fathers have preserved, in spite of all opposition, German right and German customs, German faith and German feelings, and have been found the true guards of Germany's Northern frontier. In these days of decision Holstein has repeatedly given unequivocal proof that it steadfastly holds to the ancient right and the beloved old fatherland. The whole people rose unanimously to render homage to the heir of the Ducal Crown of Schleswig-Holstein, Frederick VIII, our legitimate Lord.

The whole people of Holstein is unanimous in thus acknowledging its Duke, and in

the sacred resolve to represent in its right and freedom the fraternally united suffering people to the last drop of blood.

High Diet! As a sign of the sentiments spread over all districts, classes, and parts of the country, the people of Holstein send us, the respectful deputation, to lay our warmest wishes before the highest tribunal of the fatherland. Numerous parishes and societies of Holstein have deputed us personally to lay before the Diet that the Holsteiners from their hearts feel themselves the sons of great Germany; that they will never abandon aught of their long-inherited love for their brethren in Schleswig; and that they shall not consider their country's ancient and venerated right otherwise assured than by, under Providence, a separation from Denmark, and the assumption of the Government, with the recognition of Germany, by our legitimate Lord, His Highness the Duke of Schleswig-Holstein, our beloved Prince Frederick VIII.

High Diet! Through our mouth the country and people of Holstein cries, deeply moved with agonizing impatience at the postponement of a resolution which is to decide upon their very existence; yes, is to decide whether the old Holstein land is to remain with Germany or be lost.

May the Princes and free towns of Germany at last let right have its due, and without delay cheerfully receive into the number of German Sovereigns His Serene Highness the Prince whom all Holstein acknowledges as its Duke, and thus seal our rights with the recognition of Germany, and fulfil the wishes of the whole German people, and of the majority of their Princes and authorities.

No. 831.

Sir A. Malet to Earl Russell.—(*Received January* 28.)

My Lord, *Frankfort, January* 26, 1864.

THE Central Committee for Schleswig-Holstein of the establishment of which Body here I had the honour of informing your Lordship in my despatch of the 22nd ultimo, has issued an appeal of an extremely inflammatory character to the German people on the occasion of the visit of the Holstein deputation to Frankfort.

It is hardly necessary to give a translation of a document having no official character, but it will interest your Lordship to learn by a brief analysis, how far these gentlemen venture in provocatory language, and what are their avowed objects.

The appeal commences by asserting that Austria and Prussia have forfeited the right of being called the two Great Powers of Germany, by arbitrarily violating the territory of Holstein in contempt of Federal rights, and under the pretence of compelling the execution of the engagements of 1851-52 made by them on behalf of the Diet.

Prussia and Austria act in this manner just when their so doing is most fatal to the cause they pretend to support, and by demanding from the King of Denmark the execution of Treaties made by his predecessor as Duke of Schleswig-Holstein, they recognize him in that capacity, and consequently admit the legal basis of the London Protocol; thus proving themselves enemies of the Duchies and of Germany.

Many German Governments have protested against this violation of Federal rights, and if they were now assembled, the 500 Representatives (founders of the Committee) would condemn the act. With protests, however, nothing can be effected, and Governments having the conviction of their duties and rights, must proceed to act. Right, and the nation's will, is on their side, and they would contend for existence against enslavement by Austria and Prussia, who, encircled by external and internal foes, possess but the semblance of preponderating might, and are really only strong in the divided counsels and cowardice of the rest of Germany. Too long has Germany already waited for the decisive act—the recognition of the Duke whom his own people have unanimously acknowledged. Miserable pretences and forms ought no longer to hold back the Governments from this decision in the Diet. Germany sees the unopposed advance of Austrian and Prussian troops with shame and bitterness: sees the authorities of a free State (Hamburgh) humbly submit to the grossest maltreatment, and how the highest functionaries of the Confederation bow down before accomplished facts, to stay which was their holiest duty.

No State which refuses to employ unreservedly its entire armed force in the cause of the Duchies (that is, Germany) can henceforth pretend to the respect or confidence of the people. This is our demand, no demand of our own arbitrary will, but made by us with full knowledge of what we are doing, in the name of the nation, and in the conviction that the hour is come for the nation to risk all, not to peril the loss of all.

The German nation is come to this conviction. Is it equally filled with the deed-inspiring decision? Is it, on its part, ready, not alone to protest, but to act?

One duty lies on all, one voice appeals to all, and most loudly to the people of her two mightiest States, whether they shall labour and their sons shed their blood for the most unworthy policy.

The document continues in this exciting strain for several more paragraphs, not only stirring up the rest of Germany to resist Austria and Prussia, but openly appealing to the people to rebel and constrain such Governments as are ill disposed. Above all, however, it calls for the collection of funds, and ends thus: "Tax your wealth and your poverty in support of the Duchies. Give; when the time comes, arms and men to the extent of their need. Be not discouraged if your first efforts miscarry, not led astray by diplomatic subtilties, not wearied by the slow march of events. Such are the duties imposed upon us by our fatherland. Let each one manfully and perseveringly do his part."

I have, &c.
(Signed) A. MALET.

No. 832.

Earl Cowley to Earl Russell.—(Received January 28.)

My Lord, *Paris, January 27, 1864.*

UPON the receipt last night of your Lordship's telegram of yesterday,* I wrote to M. Drouyn de Lhuys the substance of the proposal contained in it, and I requested his Excellency to take the Emperor's orders as soon as possible, and to inform me whether His Majesty would agree to it.

As I am still unable to go out, M. Drouyn de Lhuys was good enough to call upon me after the Council to-day. He said, that in addition to my letter last night he had this morning received a despatch from the Prince de la Tour d'Auvergne, repeating your Lordship's proposal. Upon reading it, his Excellency continued, it had struck both the Emperor and himself that it was but the renewal of a proposal which had already been made and been refused, that the British and French Governments had already informed the Austrian and Prussian Governments that the King of Denmark was willing to convoke his Parliament for the purpose of submitting to that Body the expediency of abrogating the Constitution of the 18th November, and had asked that a delay of six weeks should be granted His Majesty, in order to enable him to put the intention into execution before Austria and Prussia should have recourse to military measures of coercion. This request had been peremptorily refused. Had Her Majesty's Government any reason to believe that the renewed effort which they had now proposed would be attended with better success?

I replied, that I wished first of all to place before his Excellency the true sense of your Lordship's proposal, which, it seemed to me, he had somewhat misunderstood. It was, I said, a proposition, prompted no doubt by the urgency of the crisis, addressed by Her Majesty's Government to the Powers who had signed the Treaty of 1852, and who were therefore the most interested in the Dano-German question, to meet in London to sign a Protocol, which on the one side would contain a declaration of the intentions of the King of Denmark, and on the other the consent of the Austrian and Prussian Governments to suspend military operations against the Duchy of Schleswig, pending the time necessary for carrying those intentions into effect. This proposal therefore differed entirely from that to which M. Drouyn de Lhuys had alluded. By the former, Austria and Prussia were simply to be informed of the King of Denmark's intentions, by the latter those intentions would take the form of an engagement towards Austria and Prussia, to which Great Britain, France, Russia, and Sweden would be witnesses. Austria and Prussia might accept this arrangement as satisfactory, although they might not have considered an informal announcement through third parties of the decision taken by the Danish Government to convoke the Rigsraad, a sufficient guarantee for the suspension of the meditated invasion of Schleswig.

M. Drouyn de Lhuys replied, that if my explanation of your Lordship's proposal was correct, and that the proposal was to be accepted by Austria and Prussia, the Imperial Government would willingly take part in the Protocol; but if, on the contrary, the Protocol was only to register another refusal of the great German Powers to suspend their military operations, the Imperial Government would hesitate before taking any part in such a work, which would either impose a loss of dignity on those who submitted to the refusal, or

* See No. 815.

engage them in ulterior measures, for which, I had been already told, France was not now prepared.

I rejoined, that the language of Her Majesty's Government appeared unmistakeable, and that it seemed to me that the success of their proposal must depend on its acceptance by Austria and Prussia. There was nothing in your Lordship's telegram to me which indicated any desire to consign to a Protocol the dissent of those two Powers, should they unfortunately persist in their present hostile intentions.

M. Drouyn de Lhuys again repeated, that under those circumstances he had no objections to offer to your Lordship's proposal, and he intimated that he would desire the French Representatives at Vienna and Berlin to support it.

It seemed to me that there was some apprehension in M. Drouyn de Lhuys' mind, lest the intention of Her Majesty's Government should be to engage the Imperial Government in Conferences on the whole question of the Duchies. I do not doubt that your Lordship will approve my having reassured him by pointing out the very definite object of your Lordship's proposal.

I have, &c.
(Signed) COWLEY.

No. 833.

*Earl Russell to Lord Bloomfield.**

My Lord, *Foreign Office, January* 28, 1864.

IN the present most critical position of affairs, and as a last means of arriving at a peaceful settlement of the question of the Danish Duchies, Her Majesty's Government would now propose to the Austrian Government:—That the Representatives of Austria, France, Great Britain, Prussia, Russia, Sweden, and Denmark, should be empowered to sign a Protocol in London, which should declare that the Danish Government should undertake to summon the Rigsraad at once, with the object of proposing to that Assembly the revocation of such parts of the Common Constitution of November 18 as relate to the Duchy of Schleswig. And further, that every endeavour should be made by the Danish Ministry to induce the Rigsraad to consent to this proposal.

In the event of Austria and Prussia acceding to this proposal, and accepting from Denmark that diplomatic arrangement, Her Majesty's Government then propose that the Governments of Austria and Prussia should agree to stop any advance of their forces across the Eider until the Rigsraad should have decided on the proposal of the Danish Government, and the result of that opinion should be known.

Her Majesty's Government consider that the preservation of peace would be best assured by an arrangement of this nature, which would at the same time afford to Austria a substantial guarantee for the revocation of the new Constitution.

This proposal of Her Majesty's Government has been accepted by Sweden, and communications from the Governments of France and Russia have convinced Her Majesty's Government that those Powers would also willingly concur in it, if it were accepted by Austria and Prussia.

I am, &c.
(Signed) RUSSELL.

No. 834.

M. de Bismarck to Count Bernstorff.—(Communicated to Earl Russell by Count Bernstorff, January 29.)

(Translation.) *Berlin, January* 24, 1864.

THE conduct pursued for a series of years by the Danish Government in opposition to the Agreement of 1851-52, and tending to an incorporation of the Duchy of Schleswig, notwithstanding the repeated representations and protests made both by the German Bund and the Governments of Prussia and Austria, has actually resulted, as it is well known, in the Joint Constitution for Denmark and Schleswig, which was sanctioned on the 18th November last, and intended for coming into operation on 1st January, 1864.

From the first it has been clear to the Governments of Prussia and Austria that this proceeding could not be met by Germany with protests only, but that the undoubted right

* A similar despatch was sent to Sir A. Buchanan.

of the German Bund must be asserted by acts corresponding therewith, and that the incorporation must be prevented.

Already, on the 28th of December last, they had moved in the Federal Assembly that the German Bund should now make a definite demand on Denmark, to withdraw the Constitution of the 18th November under the menace that, in case of refusal, it would itself take suitable steps to prevent the illegal incorporation of the Duchy, and if necessary to abolish it by the occupation of Schleswig.

When, on the 1st January instant, the Constitution was to be looked upon as actually commenced, the two Governments, on the 11th instant, urgently repeated their motion, but in the meantime it did not obtain a majority in the meeting of the 14th instant.

The Governments of Prussia and Austria regretted that the Bund could not resolve upon a measure which in their view was founded on the circumstances of the case; but as little as they could themselves be prevented from taking their own measures by this refusal of the Bund to participate therein, so little could they think themselves excused from those duties which are imposed upon them by their particular position to Germany in general, and by the Agreements of 1851-52 in especial.

The obligations of the King of Denmark having been contracted first of all towards the Courts of Berlin and Vienna, and accepted by the German Bund on their recommendation, they are obliged to consider themselves as responsible for their fulfilment, and cannot permit their being expressly and actually disregarded.

Just as little can they admit that Denmark should overthrow the foundation of the Agreements of 1852, whilst at the same time it is expected that they should themselves adhere to the Treaty of London which rests upon them. They would thereby be exposed to the well-founded reproach that they hold fast to that portion of the Agreement which is in favour of King Christian IX and of Denmark, but neglect that portion which supports the rights of the Duchies and of Germany. It is obvious that this would be a position quite impossible for the two German Powers.

They have therefore resolved to make themselves and in their own names the demand and the declaration to the Danish Government on this matter.

This has been done by the joint-note inclosed, which was delivered at Copenhagen on the 16th instant by the Ministers of the two Governments.

On the expiration of the term of forty-eight hours allowed therein the note of the Danish Minister for Foreign Affairs of the 18th instant, a copy of which is inclosed, was also forwarded. In this note the Danish Government declared itself unable to accede to the demand made upon it.

If in this matter it is observed that the Government does not see itself able to do this, because the interval is too brief for annulling the Constitution in a legal way, this obstacle, made by the Danish Government itself, cannot have any significance for the German Powers, because they by no means admit the rightful existence of such legal way.

In consequence of this refusal the two Ministers forthwith broke off personally the relations they had hitherto held with the Danish Government, and prepared to leave Copenhagen so soon as the weather should permit. The Secretaries of the two Legations are empowered in the meantime to remain behind in Copenhagen, giving officiously their attention to the business thereof.

Subsequently the Governments of Prussia and Austria have given orders to their troops to pass the Eider, and to occupy the Duchy of Schleswig.

They consider such actual occupation to be the only means left to them to oppose the actually and illegally accomplished incorporation of this Duchy, and to prevent its being carried into effect, and therefore they can only designate this measure as a necessary defence against an aggression already made by Denmark, and a violation of the rights of Germany, while they expressly disown any aggressive design on their part.

They could only most deeply deplore that an armed resistance should be made on the part of Denmark to this proceeding, which is undertaken purely for the maintenance of acknowledged rights, and that combats and bloodshed should be caused thereby, for which they must reject all responsibility from themselves. It lies solely in the hand of the Danish Government to ward off this, and it alone will be responsible for all further consequences.

I request your Excellency to communicate this to the British Government, and for that purpose I authorize you to give a copy of this despatch and its annexes.

(Signed) VON BISMARCK.

No. 835.

Sir A. Buchanan to Earl Russell.—(*Received January* 29.)

(Extract.) *Berlin, January* 29, 1864.

I RECEIVED yesterday your Lordship's proposal for a Protocol in London and at once communicated it to M. de Bismarck, who was at a Cabinet Council when it arrived.

His Excellency has to-day informed me of the refusal of the Prussian Government to agree to this plan.

No. 836.

Mr. Jerningham to Earl Russell.—(*Received January* 29.)

(Extract.) *Stockholm, January* 28, 1864.

I HAVE the honour to report to your Lordship that the Swedish Government have expressed their readiness to agree to your Lordship's proposal of the 26th instant for the signature of a Protocol in London.

No. 837.

Sir A. Paget to Earl Russell.—(*Received January* 30.)

(Extract.) *Copenhagen, January* 25, 1864.

I HAVE read to M. Quaade your Lordship's despatch of the 18th instant, which was delivered to me on Saturday evening the 23rd instant by the messenger Harbord.

His Excellency observed that the Danish Government had already, in their despatch of the 21st instant, announced their readiness to convoke the Rigsraad, and submit to it a proposal for the repeal of the Constitution; that they would use all speed in preparing the electoral lists with a view to the convocation of the Rigsraad at as early a date as possible, but that they must wait for an answer from Austria and Prussia to the offer they had made before actually proceeding with the elections: for it stands to reason, his Excellency observed, that if Austria and Prussia anticipated the proceedings of the Danish Government by an invasion of Schleswig, the Danish Government would be rendered powerless to carry their plan into effect. Moreover, Austria and Prussia, he said, might make it materially impossible for the Danish Government to assemble the Rigsraad, even though measures were taken for electing the Deputies before the actual invasion of Schleswig was carried into execution, for there was great excitement in the South of Schleswig, and if it was known that the offer now made by the Danish Government had been rejected by Austria and Prussia, and that the invasion was impending, Deputies would not be elected in that part of the Monarchy; and what was done by an incomplete Rigsraad would be of no legal value: consequently it was absolutely necessary, his Excellency repeated, that Austria and Prussia should accept the Danish proposal in order to make it possible for the Government to carry it into effect.

I asked M Quaade what the Danish Government would do supposing Austria and Prussia said they were willing to give time for the Rigsraad to assemble, but would not enter into any kind of negotiation until the repeal of the Constitution was a *fait accompli*.

His Excellency replied that he could not give an answer respecting what would be done in an event which had not yet occurred. If Austria and Prussia, his Excellency added, were sincere in wishing for a peaceable solution, it could not be in their interest to make the task undertaken by the Danish Government, namely, the repeal of the Constitution, more difficult than it already was, which they would do by refusing to concert with them respecting an arrangement with which to replace the Constitution.

On this point I cannot help observing that although it might perhaps have been expected that Austria and Prussia would not agree to negotiations so long as the Danish Government had never shown a disposition to abandon the Constitution of the 18th of November, because they had no guarantee that in the Conferences which would take place the Danish Government would not endeavour to make it the basis of negotiation, the position of things is now entirely changed by the recent declaration of the Danish Government (and this is why it is of so much importance) that they are ready to abrogate it.

The position now occupied by the Danish Government is simply this: "We are quite prepared," they say, "to repeal the Constitution of the 18th of November if you will only give us the time absolutely necessary for doing so in a legal form; and in order to facilitate our doing so, and that we may not fall into a state of confusion on the Constitution being repealed, we ask you to employ that time with us in making an arrangement based upon our previous obligations, which when worked out in concert with you, we may substitute for the Constitution to which you object, which we do not defend, and which we are perfectly ready and willing to withdraw."

No. 838.

Sir A. Paget to Earl Russell.—(*Received January* 30.)

My Lord, *Copenhagen, January* 25, 1864.

THE Address to the King, of which the inclosed is a translation by Mr. Kirkpatrick, has been twice discussed in the Rigsdag or Parliament of the Kingdom, but has not yet passed the third reading. Your Lordship will have seen its principal passages in the newspapers.

M. Monrad, on being questioned as to the policy of the Government, took the opportunity of preparing the country for the possibility of the Government having to propose to the Rigsraad the revocation of the Constitution of the 18th of November. I understand his Excellency to have said that Denmark could not expect the German Powers to respect their engagement not to incorporate Schleswig with Holstein, if Denmark was not faithful to hers, of not attempting the incorporation of Schleswig with the Kingdom.

This declaration appears not to have been unfavourably received by the Rigsdag.

I have, &c.

(Signed) A. PAGET.

Inclosure in No. 838.

Draft of proposed Address of the Rigsdag to His Majesty the King of Denmark.

(Translation.)

AFTER touching on the death of the late King and congratulating his present Majesty on his Succession it continues—

Most gracious Sovereign!

Heavy storm clouds have marked even the short period of your Majesty's reign. Great dangers surround the country and the Throne. Your Majesty's well-grounded right to all parts of the Monarchy, which has been confirmed to you by solemn Treaty, is disputed. The hatred to Denmark which has been fostered in Germany for so many years by every species of false representation, together with an unjust desire to seize upon a portion of the Danish Monarchy, has burst into a flame, and hostilities have already commenced, which are marked by the violation of international law and honour, as well as by the revolution which follow in their train. Under these circumstances the Rigsdag feels itself doubly called upon to express the sentiments of loyalty and devotion to the Throne which animate the Danish people.

With sincere satisfaction we have seen your Majesty assert our freedom and independence in the presence of foreign representations and demands for the withdrawal of the Constitution of the 18th November last year.

From your predecessor on the Throne, whose life was spent in continued endeavours to secure for the Danish Kingdom an independent position in the Monarchy without however succeeding in these efforts, your Majesty has now inherited this task. Its solution will, we know, be difficult; it may occasion bloody combats and heavy sacrifices, but the nation is ready to undergo them in support of its King, for the preservation of the ancient crownland of Southern Jutland (Schleswig) in its inseparable connection with the Kingdom. We desire for our brothers in Schleswig, for those who speak the German equally with those who speak the Danish tongue, the same civil freedom as the inhabitants of the Kingdom enjoy.

Freedom and a common co-operation, under the guidance of our King, of the men elected by the people, are, we are convinced, the strongest bonds both between Schleswig and the Kingdom and the realm and your Majesty.

May God Almighty give your Majesty strength to carry out that work successfully.

which must be carried out if Denmark is to continue to exist; thus it will be vouchsafed to your Majesty and your august family, we confidently hope, to continue many years happy and strengthened by the blessing which lies in the affection and reliance of the people.

No. 839.

Sir A. Buchanan to Earl Russell.—(*Received January* 30.)

(Extract.) *Berlin, January* 28, 1864.

I AM told that the Minister of the Grand Duke of Oldenburg was ordered to address a remonstrance to M. de Bismarck against the entrance of Prussian troops into the territory of Eutin, without any previous communication on the subject with the Grand Ducal Government, and that M. de Bismarck gave him a very unsatisfactory answer; and it is said that a visit which the Grand Duke has just paid to Berlin is connected with this incident.

No. 840.

Sir A. Buchanan to Earl Russell.—(*Received January* 30.)

(Extract.) *Berlin, January* 28, 1864.

I FORWARD a copy, with a translation by Mr. Lowther, of a statement which M. de Bismarck submitted to the House of the substance of a despatch which he had addressed to the secondary and minor States of Germany in explanation of the policy of Prussia in the Schleswig-Holstein question.

It is asserted on, I am assured, good authority that in this despatch M. de Bismarck has alluded to the possibility of the final arrangement with Denmark, including the annexation of Schleswig to the territories of the German Confederation, the erection of Rendsburg into a Federal fortress, and the conversion of the harbour of Kiel into a free port.

Inclosure in No. 840.

Extract from the "Kreuz Zeitung" of January 24, 1864.

(Translation.)

THE communication which M. de Bismarck made the Chamber of Deputies on the 21st instant of a Prussian despatch to the German Governments is as follows:—

"I cannot but suppose that the opposition of the German Government to follow the path entered upon by Prussia and Austria rests partially upon misunderstandings. I do not know with what right we are supposed to have the intention to simply re-establish and maintain the state of things which existed in the Duchies up to last year, and as this state of things was justly considered as unacceptable, it is supposed there was only one other alternative, either the continuation of the same or the immediate establishment of a new independent State under an Augustenburg Dynasty. Without opposing the latter in principle, we must have a regard in this matter to our position with reference to Treaties which we have made, and to our relations with European Powers.

"The Bund has not yet established its views as to the Succession, and we shall give expression to our views on the subject at the coming examination of the matter by the Bund. We have only insisted that this examination shall be thoroughly and seriously made, as it is due to the dignity of the Bund that the conclusions come to shall meet with proper consideration. We fear that the whole question may prove injurious to the interests of the Duchies and to their populations, when the question of the Succession for Holstein is treated irrespective of Schleswig and the fate of the Germans there. The Bund has no recognized popular basis for the treatment of the Succession question in Schleswig, and no means of carrying into effect its Resolutions but a war of conquest. On this account the Succession question, in our opinion, requires that caution which we have till now observed.

"Experience has told us that the King of Denmark has not kept the promises which he made to the Duchies in 1852, and which would have given them the security desired. That state of things is grown impossible, and there is a general agreement that a firm resolution must be taken in its place, which will amply secure the rights and the interests of the Duchies and of their German populations. Various other combinations by which this security can be obtained lie between the return to this state of things and the speedy

union of the two Duchies under one Dynasty, when the whole matter becomes one to be treated of by Europe. The union of the Duchies in one independent body in a personal union with Denmark under the sceptre of its King is one which will have to be considered in the event of the establishment of a new Dynasty in the Duchies not taking place. The example of the union of Sweden and Norway shows the possibility of such a union without injury to one or the other of the parts; there is, moreover, the reserve of the German Bund, whose importance may be increased by guarantees. I cannot believe that the German Governments can close their eyes to such a combination as soon as they have been convinced that the question of dynasty can only be settled with the sacrifice of the connection of the Duchies and the independence of the Germans in Schleswig. There is no doubt that the question of Succession in the Duchy of Schleswig, and the question of the international position of that Duchy, cannot be settled by the Bund alone, but that it is of an international character, and that it is in the interest of the German inhabitants of that Duchy that their position should be secured by an international sanction.

"The international negotiations may take place in various ways by which a conclusive result may be obtained; they may be with Denmark alone, or in a more general Conference.

"The Prussian Government considers it as in no way doubtful that Germany will be in a more advantageous position, either if the Constitution of the 18th of November is withdrawn (by which the illegal state of things in Schleswig will be put an end to), or if the occupation of that country should take place by the troops of the two Great German Powers, a *status quo* will then be gained which will not be disadvantageous to Germany."

No. 841.

Sir A. Buchanan to Earl Russell.—(*Received January* 30.)

My Lord, *Berlin, January* 28, 1864.

I UNDERSTAND that Marshal Wrangel will address a communication to the military authorities in Schleswig acquainting them with his orders to occupy the Duchy, and requesting them to retire, and it is generally believed here that this summons will be forwarded to the Danish commanding officer on the frontier to-day or to-morrow.

I know positively, however, that M. de Bismarck stated to-day that Marshal Wrangel had not yet received his instructions, but his Excellency may have referred to those for the Marshal's guidance in the civil administration of the Duchy of Schleswig, if he succeeds in taking military possession of it.

I have, &c.
(Signed) ANDREW BUCHANAN.

No. 842.

Count Wachtmeister to Earl Russell.—(*Received January* 30.)

M. le Comte, *Londres, le* 30 *Janvier,* 1864.

AYANT pris les ordres de mon Gouvernement relativement au désir que vous m'avez exprimé hier j'ai l'honneur de vous transmettre ci-près une copie de la dépêche que je vous ai communiquée dans notre conférence d'hier; je profite, &c.
(Signé) WACHTMEISTER.

(Translation.)

M. le Comte, *London, January* 30, 1864.

HAVING taken the orders of my Government as to the wish which you expressed to me yesterday, I have the honour to transmit to you herewith a copy of the despatch which I communicated to you during our interview yesterday.

I avail, &c.
(Signed) WACHTMEISTER.

Inclosure in No. 842.

Count Manderström to the Swedish Representatives at Berlin and Vienna.

Stockholm, le 22 *Janvier,* 1864.

LE Gouvernement du Roi vient d'obtenir connaissance authentique de la note collective adressée par les Gouvernements d'Autriche et de Prusse au Gouvernement de Danemark, en date du 16 de ce mois.

Le Gouvernement du Roi ne saurait cacher qu'il a été bien péniblement affecté du contenu de ce document.

Il ne saurait lui convenir d'entrer ici dans un examen à quel point les engagements réciproques contractés en 1851 et 1852 par les Gouvernements respectifs ont pu être exactement exécutés; mais il lui paraît évident que même leur non-exécution de la part du Danemark ne saurait former pour l'Autriche et la Prusse un titre pour s'immiscer dans les relations intérieures d'un Etat indépendant.

La forme choisie pour cette immixtion fait ressortir encore davantage son but inadmissible, puisque, dans aucun cas, il ne devenait possible au Gouvernement Danois d'accomplir, dans les voies légales, les exigences mises en avant par les Gouvernements Autrichien et Prussien.

Il ne saurait, en effet, être admis qu'aucun Gouvernement soit en droit d'exiger de la part d'un autre un acte absolument illégal, et le Gouvernement du Roi ne peut que protester, de la manière la plus explicite, contre un pareil usage de la force, et reporter toute la responsabilité des conséquences désastreuses qui pourront en résulter sur les Gouvernements qui les auraient causées.

Le Gouvernement du Roi s'est toujours soigneusement abstenu de s'immiscer dans les questions Fédérales, mais il s'agit ici d'intérêts d'un ordre Européen, à l'égard desquels tout Etat indépendant a le droit d'émettre son avis. Avec la franchise qui caractérise tous ses actes, le Gouvernement du Roi n'a pas dû laisser ignorer le sien au Gouvernement de Sa Majesté le Roi de Prusse (l'Empereur d'Autriche), et j'ai reçu l'ordre du Roi notre auguste Souverain de vous engager, Monsieur, à faire lecture de la présente dépêche à son Excellence M. de Bismarck (le Comte de Rechberg).

Je profite, &c.
(Signé) MANDERSTRÖM.

(Translation.)

Stockholm, January 22, 1864.

THE King's Government has just obtained authentic knowledge of the collective note addressed by the Governments of Austria and Prussia to the Danish Government, dated the 16th of this month.

The King's Government cannot conceal that a very painful impression has been produced on them by the contents of this document.

It would not suit them to enter here into an examination as to how far the reciprocal engagements contracted in 1851 and 1852 by the respective Governments could have been exactly executed; but it seems clear that even their non-execution on the part of Denmark could not give Austria and Prussia a just ground for mixing themselves up in the internal relations of an independent State.

The form chosen for this interference makes still more prominent the inadmissible nature of its object, because in no case was it possible for the Danish Government to accomplish by legal means the requirements put forward by the Austrian and Prussian Governments.

It could not, in fact, be admitted that any Government has a right to exact from another an act which is absolutely illegal; and the King's Government cannot but protest in the most explicit manner against such an employment of force, and lay the whole responsibility of the disastrous consequences which may result therefrom on the Governments which have caused them.

The King's Government has always carefully abstained from mixing itself up in Federal questions; but this is a question of interests of a European character, in regard to which every independent State has a right to express its opinion. With the frankness which characterizes all its acts, the King's Government ought not to leave the Government of His Majesty the King of Prussia (the Emperor of Austria) ignorant of its views; and I have received the orders of the King our august Sovereign to desire you, Sir, to read this despatch to his Excellency M. de Bismarck (Count Rechberg),

I avail, &c.
(Signed) MANDERSTRÖM.

No. 843.

Earl Russell to Earl Cowley.

(Extract.) *Foreign Office, January* 30, 1864.

THE Ambassador of France came to the Foreign Office on the 28th instant and stated to me the contents of a despatch he had received from M. Drouyn de Lhuys on the subject of material aid to be afforded to Denmark in certain cases.

M. Drouyn de Lhuys, after recapitulating the substance of my despatch of the 24th of January to your Excellency, explains very clearly the views of the French Government upon the subject. The Emperor recognizes the value of the London Treaty as tending to preserve the balance of power and maintain the peace of Europe. But the Government of France, while paying a just tribute to the purport and objects of the Treaty of 1852, is ready to admit that circumstances may require its modification.

The Emperor has always been disposed to pay great regard to the feelings and aspirations of nationalities. It is not to be denied that the national feelings and aspirations of Germany tend to a closer connection with the Germans of Holstein and of Schleswig. The Emperor would feel repugnance to any course which should bind him to oppose in arms the wishes of Germany.

It may be comparatively easy for England to carry on a war which can never go beyond maritime operations of blockade and capture of ships. Schleswig and England are far apart from each other. But the soil of Germany touches the soil of France, and a war between France and Germany would be one of the most burthensome and one of the most hazardous in which the French Empire could engage.

Besides these considerations the Emperor cannot fail to recollect that he has been made an object of mistrust and suspicion in Europe on account of his supposed projects of aggrandizement on the Rhine. A war commenced on the frontiers of Germany could not fail to give strength to these unfounded and unwarrantable imputations.

For these reasons the Government of the Emperor will not take at present any engagement on the subject of Denmark. If, hereafter, the balance of power should be seriously threatened the Emperor may be inclined to take new measures in the interest of France and of Europe.

But for the present the Emperor reserves to his Government entire liberty.

I did not interrupt the statement of the Ambassador or controvert the reasoning of the despatch. I confined myself to an endeavour to ascertain clearly the position of the French Government.

No. 844.

Lord Bloomfield to Earl Russell.—(*Received January* 31.)

(Extract.) *Vienna, January* 31, 1864.

COUNT RECHBERG has just informed me that it would be useless for the Austrian Government to give an opinion on the proposal of Her Majesty's Government for the signature of a Protocol in London, in order to obtain a postponement of the advance of the Austrian and Prussian forces into Schleswig, as that proposal has been already declined by the Prussian Government. He said that it was now necessary that the armies should advance, and that if there was no resistance on the part of the Danish troops the arrangement of the Danish difficulty would be much simplified. He wishes further to press on the consideration of Her Majesty's Government the advantage that would result from the establishment of a Congress in London on Danish affairs during the military operations.

His Excellency is still waiting for the decision of the Prussian Government before replying to my note on the subject of the integrity of the Danish Monarchy.

No. 845.

Sir A. Paget to Earl Russell.—(*Received January* 31.)

(Extract.) *Copenhagen, January* 31, 1864.

A REPORT has been received from the Commander-in-chief of the Danish army, which states that he has received a note this morning from Marshal Wrangel, informing him that the Marshal had orders to take possession of Schleswig and administer it, and inquiring whether he was ready to evacuate it, at the same time giving him till 5 o'clock this afternoon to return an answer.

To this note General Meza replied that he had orders to defend Schleswig.

The King, accompanied by the President of the Council, will leave Copenhagen this evening at 11 o'clock, to join the army.

The Austrian and Prussian Ministers took their departure this day.

DENMARK AND GERMANY.

No. 4.

Correspondence respecting the Affairs of the Duchies of Holstein, Lauenburg, and Schleswig.

(In continuation of Correspondence "Denmark and Germany, No. 3.")

Presented to both Houses of Parliament by Command of Her Majesty. 1864.

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